A Brief History of the Review

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In 2017, the Auckland University Law Review (AULR) celebrated its 50th anniversary. To commemorate this milestone, the Faculty of Law asked us to write a brief history of the Review. By delving into 50 years' worth of Editors' Notes, old computer files and boxes of documents (which had literally collected dust), we sought to uncover aspects of the Review's history which might otherwise be forgotten. With a half-century's worth of material to canvass, what follows is a necessarily brief examination of the Review's history, development and ongoing legacy. Nevertheless, this history contains a great deal of information for anyone interested in the Review's back-story and traditions — particularly incoming Editors and Managers who wish to take inspiration from their predecessors and understand why we do what we do. For our valued alumni and other readers, we hope this history is as interesting for you to read as it was for us to produce.

I INTRODUCTION

It was the Dean of the University of Auckland Law School, Professor Jack Northey, who declared that "[l]egal education in Auckland has passed

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As this feature spans 50 years of history, and many names recur throughout — many whose official title changed over this period — the authors have, in places, simplified and omitted titles and other honorifics in the interests of readability and clarity. When *Editor* is capitalised it indicates the editor at the top of the hierarchy. From 1995, this position was styled *Editor-in-Chief*. In places, the titles are used interchangeably. In some sections, we categorise issues of the Review according to particular themes. Where the dates of the issues are clear from the text, we have generally — with exceptions — omitted a citation for each individual issue. Information regarding the editors or Managers, or assemblage of articles, for a particular issue can be found in the front matter. The terms *Editorial* and *Editors' Note* were used in different years. We use them interchangeably, except when referring to a particular usage. In many issues, the front matter and Editorials are not paginated. In these cases, we have been unable to provide pinpoint references. The references should nonetheless be easy to find. With recent exceptions, neither the front matter nor the Editorials tend to be more than two pages long. In the years 1968–2003, each volume contained four issues. However, these were not always sequentially paginated. For clarity, we have provided issue numbers for every year in this date range. Finally, the authors are grateful to Emma Barnes, Dilshen Dahanayake, Amy Dresser, Madison Hughes, Bridget Keene, Jae Jun Kim, Vivien Lei, Lydia Sharpe and Milly Sheed for their research assistance.

another milestone with the appearance of the Review."[1] The year was 1967 and the inaugural Auckland University Law Review (AULR) had just been published.[2] Since 1967, the AULR has become well-known in New Zealand as a platform for the best research papers written by Auckland law students each year. Its alumni have gone on to become distinguished members of the judiciary, academy and legal profession. And its articles have been cited by the judiciary at all levels of the courts.

In Part II, we canvass the original and evolving intentions and purposes of the Review. In Parts III, IV and V we track notable developments: Part III outlines additions to the volume itself; Part IV outlines changes to the Review enterprise that were not additions to the volume itself; and Part V surveys the evolution of the editorial and managerial positions. The final two Parts provide a snapshot of the Review's prestige: Part VI identifies some of the Review's many notable alumni; and Part VII captures a modest selection of the Review's important contributions to scholarship.

In all Parts we emphasise changing attitudes, contributions and challenges, as self-reported by Editors-in-Chief in the annual Editors' Notes.[3] We acknowledge that this history is selective and we apologise in advance for the inevitable omissions and any regrettable errors.

II INTENTIONS AND PURPOSES

Inception

In 1966, Dean of the Law School Professor Jack Northey made arrangements for a Law Review at the Auckland Law School.[4] The Review would publish articles that were both *authored* and *edited* by undergraduate law students.[5] According to inaugural Editor the Hon John Priestley QC, Professor Northey "decided that the Law School should follow the North American model of student reviews".[6] At the time, Professor Northey wrote that most law schools with a comparable enrolment "already [had] a student law review".[7] However, Professor Northey was probably referring to the kind of "student law review" that, while edited by students, featured articles

1 JF Northey "Preface" [1967] Auckland U L Rev i at i.

2 See Sian Elias "Looking Back, Looking Forward: Reflections on Fifty Years in the Law" (2017) 23 Auckland U L Rev [this volume].

3 There is no material difference between *Editorials* and *Editors' Notes*. The former nomenclature tended to be used in the earlier years. The latter is used more commonly now.

4 Brian Coote *Learned in the Law: The Auckland Law School 1883–2008* (Legal Research Foundation, Auckland, 2009) at 53. For a snapshot of student life at the Faculty at the time, see generally at 52–56.

5 Northey, above n 1, at i.

6 Email from John Priestley to Kayleigh Ansell and Jayden Houghton regarding the inaugural issue of the Auckland University Law Review (24 October 2017, evening). The inaugural Editors were the Hon John Priestley QC and Alan Galbraith QC.

7 Northey, above n 1, at i. Professor Northey also acknowledges "the relatively late appearance of an Auckland Review".

by non-students. Indeed, Professor Brian Coote notes that, "as a medium devoted exclusively to student writing, the Review had no precedent in Australasia".[8] Professor Coote continues: "the only other example of which the Faculty were aware [was] the *Intramural Law Review* of the University of New York".[9] It seems then that, while it was already the norm in North America for a student-edited law review to publish articles authored by academics,[10] the AULR was distinctive because it published articles that were both authored and edited by law students.

The late-1960s was an opportune time to inaugurate the Review. First, student numbers were increasing and, by all accounts, the increase in full-time enrolments in the mid-to-late-1960s correlated with a general increase in the quality of student work.[11] Secondly, the Faculty instituted a new LLB(Hons) degree, which, with its dissertation requirement, resulted in more student-authored research papers for potential publication.[12] Finally, the Council of Legal Education allowed each law school to set examination papers for its own students.[13] This was an important development in legal education in New Zealand because it allowed lecturers to spend less time spoon-feeding case and statute authorities and more time discussing policy issues and the principles underlying legal rules.[14] According to Professor Coote, this "provided a foundation for a substantial increase in the standards achieved by the better students, which in turn extended to their LLB(Hons) and LLM papers".[15] For these reasons, the Review became a natural repository for the best papers written by an increasingly thought-provoked student cohort for the LLB(Hons) and LLM degrees.[16]

Undergraduate Enterprise

1 Commitment to the Undergraduate Enterprise

In his Preface to the inaugural issue, Professor Northey wrote that the Review was "intended to be essentially an undergraduate enterprise" where students would handle "the editorial, technical and financial problems associated with publication".[17] This was echoed by the inaugural Editors

8 Coote, above n 4, at 53 (emphasis removed).
9 At 53–54.
10 For example, the Harvard Law Review publishes articles authored (usually) by academics and edited by students at Harvard Law School. Similarly, the Yale Law Journal publishes articles authored (usually) by academics and edited by students at the Yale Law School.
11 Coote suggests that full-time students were generally "better students". Coote, above n 4, at 49. See also Northey, above n 1, at i; and AR Galbraith and JM Priestley "Editorial" [1967] Auckland U L Rev ii at ii.
12 See Coote, above n 4, at 49. In a tradition that continues to this day, Honours students were required to take a seminar class and write a dissertation, both in addition to their LLB courses. See also Elizabeth Chan and Benedict Tompkins "Editors' Note" (2011) 17 Auckland U L Rev.
13 Coote, above n 4, at 59.
14 At 59–60.
15 At 60.
16 See Coote, above n 4, at 53. It was clear that, with the Review, the Faculty aimed to give "this student writing an outlet in some form of publication". Galbraith and Priestley, above n 11, at ii.
17 Northey, above n 1, at i.

who suggest it was "the Faculty's desire that the Review be edited and published by students".[18] In any case, one of the eight pieces in the inaugural issue was written by a recent graduate — now Sir David AR Williams QC — who had, by then, joined the academic staff.[19] The Review would not again publish work by non-students until decades later.

In 1970, the Editors did consider whether the Review should restrict authors to law students only.[20] Their decision was to maintain the established approach on the basis that the Review provided a unique platform for these capable law students who otherwise had few opportunities to have their work published.[21] Over the years, successive Editors-in-Chief have explicitly reiterated this commitment to publishing student work only.[22]

However, the Review has recently found a way to showcase pieces by non-students without detracting from its commitment to the undergraduate enterprise. Unlike Williams' article, these pieces are featured at the front of the Review — one might say before the *review proper*. As such, recent contributions by non-students are included in a *special feature* section where they are designated as *special* (in the sense of being atypical) and do not keep company with the student-authored articles.

The first special feature section was in 2012.[23] As can be inferred from the Editors' Note that year, they considered the inclusion of non-student work to be quite radical:[24]

> This year's Auckland University Law Review breaks with 45 years of tradition. In the past, the Review has confined itself to publishing work written by students and recent graduates of The University of Auckland. This is not the case in 2012.

Since then every issue of the Review has given top billing to at least one special feature. These are usually transcripts of interviews with, or speeches by, notable AULR alumni or distinguished visitors to the Auckland Law School — usually with a strong connection to the Review.[25]

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18 Galbraith and Priestley, above n 11, at ii.

19 Email from John Priestley (24 October 2017, evening), above n 6; and see Galbraith and Priestley, above n 11, at ii. Williams joined the academic staff around a year before publication. See Coote, above n 4, at 67 and 198.

20 RJ Asher and others "Editorial" (1970) 1(3) Auckland U L Rev xi at xi. The other Editors were SS Elias, KI Macduff and J Robinson.

21 RJ Asher and others, above n 20, at xi. The Editors also suggested that there were enough student submissions of publishable quality such that there was no reason to publish non-student work.

22 See, for example, David Mather, Richard Osborne and Peter Butler "Editorial" (1972) 2(1) Auckland U L Rev v at v; WM Bryan "Editorial" (1975) 2(4) Auckland U L Rev; Jennifer Caldwell and Wendy Sutton "Editorial" (1987) 5(4) Auckland U L Rev; David J Cooper and Ian M Narev "Editors' Note" (1990) 6(3) Auckland U L Rev; and Stephanie Macfarlane and Nicola Parton "Editorial" (1995) 7(4) Auckland U L Rev.

23 The special feature in that year was an edited transcript of an interview with the Hon Michael Kirby by the Rt Hon Sir Edmund Thomas on judicial activism. The unique event took place at the Law School on 30 March 2012 and was extremely popular with staff and students. Augustine Choi and James Ruddell "Editors' Note" (2012) 18 Auckland U L Rev.

24 Choi and Ruddell, above n 23.

25 We discuss the special features section further in Part III: *Special Features*. See also, for example, Part IV: *AULR Symposia*.

As to the commitment that Editors,[26] and Business Managers and Advertising Managers, should be students only, the Review has remained faithful to its original intention.

2 Faculty Support

Although the Review remains committed to the undergraduate enterprise, the Faculty continues to play an important role in supporting the Review. This is best demonstrated by the Faculty's provision of Faculty Advisers, physical space, financial support and, at least for some time, dispensations from writing requirements to reflect the rigorous training and substantial time commitment required of Review editors.

The Faculty's involvement early on was "deliberately kept at a modest level".[27] Although, in the early years, it was closely engaged with editorial appointments,[28] in recent years the outgoing Editors-in-Chief have made these decisions autonomously.[29]

While the Faculty does not appoint editors anymore, it has — in most years since its inception — appointed one or two academic staff member(s) to serve as Faculty Adviser(s) to the Review.[30] The Adviser for the inaugural issue was Dr David Mummery — then a recent Harvard graduate and noted by Professor Northey for his experience "as a student editor".[31] The Hon John Priestley QC elaborates:[32]

> I [think] Northey appointed him as such because he was about the only full time Faculty member with recent US law school experience and thus would have had some knowledge about what a law review was.

While Dr Mummery might have been capable as an editor, neither inaugural Editor can recall him providing much editorial input.[33] The Hon John Priestley QC recalls giving Dr Mummery updates and (perhaps) letting him read the final versions of their articles.[34] However, he concludes that Dr Mummery "by and large … left us to our own devices".[35] Indeed, this is

26 The commitment to a Review edited only by students has been re-expressed numerous times. See, for example, Caldwell and Sutton, above n 22; and Macfarlane and Parton, above n 22.

27 Northey, above n 1, at i.

28 Indeed, the inaugural Editors suggest that the Faculty appointed them. In their Editorial in 1967, the Editors reported that they had been "appointed by the Law Students' Society". Galbraith and Priestley, above n 11, at ii. However, the Hon John Priestley QC recently suggested that Professor Northey himself "charged [Priestley and Galbraith] with the task of producing [the inaugural issue]". Email from John Priestley (24 October 2017, evening), above n 6.

29 We were unable to determine exactly when this changed. For at least the past decade — and records indicate from much earlier — the outgoing Editors-in-Chief have tendered applications and interviewed applicants from within the editorial team to replace them.

30 See Coote, above n 4, at 53.

31 Northey, above n 1, at i.

32 Email from John Priestley (24 October 2017, evening), above n 6.

33 Email from John Priestley (24 October 2017, evening), above n 6; and email from Alan Galbraith to John Priestley and the authors regarding the inaugural issue of the Auckland University Law Review (24 October 2017).

34 Email from John Priestley (24 October 2017, evening), above n 6.

35 Email from John Priestley (24 October 2017, evening), above n 6.

consistent with the ongoing status of the Review as an undergraduate enterprise. The role of the Adviser has generally been to *keep an eye* on the Review[36] and to be available for advice when sought by the Editors-in-Chief.

What *would* be unusual today about Dr Mummery's tenure as Adviser is that he was not an AULR alumnus. Of course, he could not have been, for the 1967 issue was the inaugural issue! However, it is worth noting that the Faculty Advisers have almost always been AULR alumni. Indeed, being an AULR alumnus or alumna is likely now a prerequisite for appointment as the Faculty Adviser.[37]

Since Dr Mummery, the Review has had numerous Faculty Advisers.[38] It is not only out of a sense of obligation that Faculty Advisers are thanked so often in the Editors' Notes. While the Editors-in-Chief are usually among the brightest law students in their year, they are not yet established authors. Therefore, the Advisers can provide valuable advice on editorial and logistical decisions (as well as academic mentoring generally). In addition, the editorship changes annually, which means that lessons can easily be lost. Therefore, the Advisers play a crucial role in providing consistency from year to year and ensuring the experiences of, and challenges faced by, previous editorial teams are passed on.

The Faculty also supports the Review by providing physical space. In recent years, the Faculty has set aside two rooms in the main Faculty building for the Review from which the Editors-in-Chief can run the enterprise. This was not, however, the case at the beginning. The Hon John Priestley QC describes the original working environment in Pembridge, one of the Faculty buildings at the time, as follows:[39]

> There was a room on the ground floor of Pembridge which was the room for tutors, in which were four desks. They were occupied by Galbraith, me, Bill Foster (who was subsequently a Prof at McGill), and Don McMorland. Off that was a large room, the office of the late Byron O'Keefe, a lecturer, and a smaller room occupied by a "Research Assistant" Ian Ross. A rather chaotic arrangement. Rather like a railway station with people coming and going. Galbraith and I compiled the Review, including weeding out submitted articles, from our desks or our homes.

The Review is far better resourced in the modern day. Since its official opening on 2 May 1992, the Faculty has been based in buildings previously

36 That is to say, to ensure the editorial team is jumping the necessary hurdles and ticking steadily towards publication.

37 Professor Michael Littlewood and John Ip (current Faculty Advisers) as noted in a conversation with Kayleigh Ansell and Jayden Houghton (9 October 2017).

38 PT Burns (1968), JA Seymour (1968–1970), former Dean of the Law School Professor Jack Northey (1972–1983), Jim Evans (1984), Associate Professor Bill Hodge (1984–1990, 1992–1993), Associate Professor David Grinlinton (1991), Associate Professor Rosemary Tobin (1991–1993), Professor Janet McLean (1994–1995), Associate Professor Scott Optican (1994–2000), Paul Myburgh (2000–2005), former Dean of the Law School Professor Julie Maxton (2000–2005) and former Dean of the Law School Professor Paul Rishworth (2006-2010). The current Advisers are Professor Michael Littlewood (2006–present) and John Ip (2009–present).

39 Email from John Priestley to Kayleigh Ansell and Jayden Houghton regarding the inaugural issue of the Auckland University Law Review (24 October 2017, morning).

occupied by High Court Judges.[40] At its current premises, the Faculty sets aside two rooms for the Review in Building 801 at 9 Eden Crescent: one for the Editors-in-Chief and another for the Business Managers and Advertising Managers.

Notably, the Faculty used to purchase 200 copies of the Review each year "which it then made available to the Law Library for exchange with other law journals".[41] These purchases made printing the Review more financially viable. In the present day, the Davis Law Library has an exchange policy for the AULR with other libraries in New Zealand and around the world — in particular, in Australia, Canada, the United Kingdom, the United States of America and parts of Asia.[42] However, "the number of exchanges has reduced significantly over the years" to around 40 copies[43] — far fewer than the 200 copies suggested by Professor Coote in the early years. (Of course, the reduction can be explained by a shift in the preferred format from physical access to electronic access,[44] which the Review has adapted to by signing agreements with electronic databases, such as HeinOnline, Informit and Thomson Reuters.[45]) As a result, the Review has had to ensure it is not financially reliant on these purchases.[46]

It should also be noted that, in the early years, the Faculty supported the Review by factoring the heavy editing workload into the overall student workload. Professor Coote writes that "dispensations from writing requirements were given for such things as participation in Stout Shield moots, and editorial work on the production of the Auckland University Law Review".[47] Editors are not afforded this luxury in the present day, when work on the Review is considered by the Faculty to be additional to, and separate from, academic study. In any case, we believe there is a strong case for the Editors-in-Chief, in particular, to receive dispensations for some of the legal research and writing requirements in the current undergraduate law degree, and we urge the Faculty to reconsider such an arrangement in the future.

Evolving Intentions and Purposes

The Editors' intentions and their conceptions of the purpose of the Review have remained the same thereabouts since its inception, albeit with subtle variations. While the Review has been unwaveringly committed to providing a platform for student writing and publishing original scholarship, there has been less consensus on the subject matter suitable for publication and the

40 Coote, above n 4, at 127–129.
41 At 53.
42 Email from Stephanie Carr (Davis Law Library Manager) to Kayleigh Ansell and Jayden Houghton regarding the exchange policy with other universities (30 October 2017).
43 Email from Stephanie Carr (30 October 2017), above n 42.
44 Email from Stephanie Carr (30 October 2017), above n 42.
45 See Part IV: *Subscriptions and Databases*.
46 For more on how the Review financially supports itself, see, for example, Part III: *Advertisements*, Part IV: *AULR Alumni Dinner* and Part IV: *AULR Symposia*.
47 At 95 (emphasis removed).

Review's intended audience. We will touch on each of these commitments in this section.

1 A Platform for Student Writing

A defining purpose of the Review has been to give the brightest law students a platform to share their ideas with other law students, academics and the wider profession. Professor Northey celebrated the inaugural issue as a motivator and medium for law students "to undertake research and to present their conclusions to a wide audience".[48] And the inaugural Editors hoped that the Review would increase the "willingness and competition amongst Law School undergraduates" to contribute.[49]

But it would not only give students an opportunity to *contribute* their work. The Review is also widely available to law students to read. For a period, the Law Students' Society distributed copies of the Review to its members, and this meant that "[a]ll students … [had] access to papers which would not otherwise have been made available to them".[50] At present, the Review is easily retrievable in physical copy at the Davis Law Library and on multiple electronic databases accessible via the University of Auckland website.

While the Review has always been a platform for student writing first and foremost, it has not always been easy to stay true to this commitment. In the next few paragraphs we relate some of the problems with publishing student writing, as self-reported by Editors-in-Chief in different years. Despite these problems, the Editors-in-Chief have in every year pushed through, and the Review has remained committed to its original defining feature as a platform for student legal writing.

The Faculty decided very early on to award a Prize for the best article in each issue. The idea was that the Prize would "[encourage] students to write specifically for the Law Review".[51] Unfortunately, the Editor in 1971 expressed his disappointment that the Prize had failed to achieve its objective.[52]

Some of the outreach initiatives for quality student work have also proven ineffective. In the early-to-mid 1970s there was a push for younger law students to contribute. However, the younger students did not engage. The Editor in 1975 was particularly disappointed by "the lack of response from first and second year students", which meant that "core common law subjects such as contract and tort … [were] not represented" in the submissions.[53] When first and second year students *did* eventually start to submit work, the Editors expressed disappointment that their submissions

48 Northey, above n 1, at i.
49 Galbraith and Priestley, above n 11, at ii.
50 Northey, above n 1, at i. Note that in the late 1960s the Law Students' Society also began publishing *Writ*, an in-house student paper that was separate to the Review. Coote, above n 4, at 55.
51 BR Hancock "Editorial" (1974) 2(3) Auckland U L Rev v at v.
52 At v.
53 Bryan, above n 22.

were responses to factual opinion questions and, therefore, "unsuitable for inclusion".[54]

Finally, the number of submissions has fluctuated.[55] At various points in the Review's history, the Editors-in-Chief have noted a declining interest in, or enthusiasm for, the Review. Responding to this problem in the mid-to-late 1970s, one Editor noted:[56]

> Perhaps the problem lies in the tendency of the Law School curriculum to encourage students to interest themselves seriously in little other than the final examinations; perhaps in a distaste for "academic law" consistent with the supposedly pragmatic New Zealand character.

Speculating also on the problem, which had re-emerged by the early 2000s, two Editors-in-Chief suggested that the declining interest in that period "may or may not [have been] due to increased academic or work commitments, low profile or visibility of the Review, or mere disinterest".[57] Whatever the reason, the Review has, at times, experienced a drop in the number of submissions. Fortunately, the Review currently receives an exceptional number of high quality submissions and there is no present threat to the Review's commitment as a platform for student writing.

2 Original Scholarship

The Review is also committed to publishing cutting-edge scholarship. In 2013, speaking at the AULR Symposium, Justice Helen Winkelmann noted her "vision for the Review as an incubator of fresh thought".[58] A similar idea has been expressed by Editors over the history of the Review. In 1999, for instance, the Editors reinforced the "constant emphasis" that the Review places on "airing … a variety of views" and challenging norms.[59] This goes some way to explain why the Review is known to consistently "highlight … areas of the law which require reform".[60]

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54 MP Crew "Editorial" (1976) 3(1) Auckland U L Rev. See GA Muir and MB Peterson "Editorial" (1980) 4(1) Auckland U L Rev.

55 For example, in 1976 the Editors regretted to report that only 16 papers were submitted for publication. Crew, above n 54. In contrast, in 2002, the Editors-in-Chief noted a record high number of commentaries submitted, which they believed reflected an increased student interest in the Review. Hannah Ho and Bevan Peachey "Editorial" (2002) 9(3) Auckland U L Rev. The Review is in a particularly healthy state today with approximately 80 submissions received in 2017.

56 Crew, above n 54.

57 Debbie Aukett and Jane Taylor "Editorial" (2001) 9(2) Auckland U L Rev.

58 Thomas Clark and Nupur Upadhyay "Editors' Note" (2013) 19 Auckland U L Rev 6 at 6.

59 Miranda Baker and Alexandra Nicholson "Editorial: Te Mata Koi" (1999) 8(4) Auckland U L Rev. In other years, the Editors-in-Chief have noted their own personal commitment to featuring original scholarship in their particular issue. For instance, in 1973 the Editors expressly selected articles on the basis of their originality. KC Manley and J Flaws "Editorial" (1973) 2(2) Auckland U L Rev v at v. In 1988, the Editors were confident and proud that the articles they had shortlisted were "both thoughtful and thought-provoking". Grant Marjoribanks and Brenda Smith "Editorial" (1988) 6(1) Auckland U L Rev. It was important to the Editors-in-Chief in 2004 to "showcase that rarity in undergraduate research: original analysis". Andrew Robinson and Nicholas Sage "Editorial" (2004) 10 Auckland U L Rev.

60 Macfarlane and Parton, above n 22.

The aspiration for law students to critique society and recommend reforms was heightened in the late-1990s, when the economics and politics of the time were seen to emphasise the importance of the Review as *critic and conscience*. The years 1996–1998 provide an interesting case study on the position of the Review existing, not in an intellectual vacuum, but at the very pulse of law and society.[61]

In 1996, the Editors-in-Chief stressed that the Review "must look to enhance [its] legal scholarship" by producing a range of work "that review, question, and challenge contemporary legal issues, while at the same time proposing viable reforms".[62] The following year, the Editors-in-Chief were confident that the Review could be effective in these roles,[63] while also motivating its student readers "to think about the law".[64] These themes appeared for the third year in a row in 1998,[65] when the Editors-in-Chief warned that the economics and politics of the time could threaten the quality of the scholarship published in the Review[66] and that the Review provided "a crucial forum for discussing such issues".[67] Thus, the purpose of the Review to encourage original thought and cutting-edge scholarship was seen at the end of the last millennium to be at risk. Although these concerns eased in the next few years, we will leave it up to the reader to revisit those issues and consider the real influence that economics and politics had on the scholarship published during and after that period.

3 Subject Matter

When one steps back and surveys the different volumes, it becomes apparent that the preferences of the Editors-in-Chief change year on year. One of the key tensions is between publishing on a range of legal and socio-legal issues or narrowing the Review's remit to publish on legal issues only. The question was, indeed, asked by the Editors in 1970: should the Review restrict the subject matter to purely legal problems?[68] Interestingly, one of

61 In 1996, the Editors-in-Chief were concerned that "increased fees and higher staff ratios" would impact negatively on the quality of university work. David Knight and Philip Crump "Editorial" (1996) 8(1) Auckland U L Rev. In 1997, the Editors-in-Chief warned that "[t]he current economic and political climate, with its characterisation of education as a personal investment" might reduce academic innovation. Stephen Hunter and Sandra King "Editorial" (1997) 8(2) Auckland U L Rev. Similar themes arose in 1998, when the Editors-in-Chief declared: "Legal education in New Zealand is at a crossroad." Victoria Pearson and Caroline Young "Editorial: Te Mata Koi" (1998) 8(3) Auckland U L Rev. At the time, "the changing nature of government policy towards tertiary education" increased cost for students — forcing them to re-evaluate what they hoped to achieve.

62 Knight and Crump, above n 61.

63 Hunter and King, above n 61. The Editors-in-Chief believed that law students had "something to offer [the] juristic contribution to the formation of the law".

64 Hunter and King, above n 61. As such, the Review helped to keep "academic interest and innovation alive and well within the student body".

65 Pearson and Young, above n 61.

66 Pearson and Young, above n 61. The Editors-in-Chief noted: "Many students now leave university with substantial debt and are faced with an increasingly demanding employment market". The threat was that students "may feel forced to structure their degrees … to appeal to the commercial legal market" and shy away from studying and writing on other issues, such as socio-legal issues, which also deserved examination.

67 Pearson and Young, above n 61.

68 RJ Asher and others, above n 20, at xi. The Editors that year answered in the negative.

the most frequent comments made by Editors-in-Chief in their Editors' Notes relates to the balance they decided to strike.

On occasion, the Editors have taken the *narrow* view that the Review should emphasise articles on *black-letter* or strictly legal issues and de-emphasise or even bar the inclusion of articles on socio-legal papers.[69] However, this has not been the norm. In most years, the Editors have been interested in the role that the law plays in its societal context[70] and been of the view that it is ideal to include a wide range of current legal issues in order to prompt debate.[71] At particular times, such as in the late-1970s, the Editors have even noted a general awareness of and concern for social issues among the student body,[72] such that publishing on purely legal issues would be off the student pulse, so to speak.

Finally, in some years the Editors were conscious of the international or domestic focus of their articles. Whereas the Editors in 1981 aimed to include articles of "both international and local significance",[73] the Editors in 1983 explicitly selected articles on the basis of their relevance to New Zealand practitioners and students.[74]

3 Intended Audience

The idea that the composition of articles should be relevant to some particular group leads us to ask: what *is* the intended audience of the Review? In 1991, the Editors-in-Chief noted that the Review has four purposes:[75]

> It exposes students to a broad range of legal learning. It informs practitioners of the current state of the law. It contributes to academic debate. But most important of all, it gives the best students an opportunity to share their ideas with a large sample of the legal community at the start of their careers. And thus the quality of law makers, and law, is enhanced.

Gathering from this excerpt, the Editors believed that the intended audiences of the Review are students, practitioners and academics. Not just one of these groups, but all three. Indeed, in some years the Editors set out to cater to all audiences. In 1981, for instance, the Editors aimed "to include material of interest and relevance to undergraduates, practitioners, academics and overseas subscribers alike".[76]

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69 See, for example, Muir and Peterson, above n 54.

70 Indeed, the Editors have often been proud to write in their Editorials that they went out of their way to include socio-legal articles. See, for example, Galbraith and Priestley, above n 11, at ii; RJ Asher and others, above n 20, at xi; Hancock, above n 51, at v; and Baker and Nicholson, above n 59.

71 See, for example, Leslie Olsen and Rosemary Tobin "Editorial" (1986) 5(3) Auckland U L Rev.

72 See, for example, WG Manning "Editorial" (1978) 3(3) Auckland U L Rev; and PG Cawthorn and ECM Sheetz "Editorial" (1979) 3(4) Auckland U L Rev 353 at 353.

73 DA Clapshaw and PJ Driscoll "Editorial" (1981) 4(2) Auckland U L Rev.

74 HM Dervan and RJC Partridge "Editorial" (1983) 4(4) Auckland U L Rev.

75 David Murray and Frances Wright "Editors' Note" (1991) 6(4) Auckland U L Rev.

76 Clapshaw and Driscoll, above n 73. See also Murray and Wright, above n 75.

However, in other years the Editors have been more particular about the groups they intend to cater to. In 1973, for instance, the Editors noted that the subject matter they shortlisted reflected original student ideas (with a more academic focus) and so may be of little assistance to practitioners.[77] Conversely, in 1970, the Editors were aware of the utility of publishing articles for the student-*cum*-practitioner, writing that the "Review could serve a more useful function if it were to deal with subjects of interest to the lawyer and law student and relevant in the future".[78] Similarly, in 1980, the Editors attempted to include material relevant to the needs of the average Auckland Law School student.[79]

In conclusion, despite circumstances that could have derailed the enterprise, the Review has remained committed to providing a platform for student writing and publishing original scholarship. While there has been less consensus on the subject matter suitable for publication and the Review's intended audience, Editors-in-Chief have generally sought to publish on both purely legal and socio-legal issues of interest to students, academics and practitioners.

III MORE PAGES AND MORE

In Part III we discuss additions made to the volume itself. In Part IV we discuss some of the additions to the Review enterprise that were not additions to the volume itself.

Commentary and Analysis

The Review currently features three types of commentaries: case notes, legislation notes and book reviews. Most issues, particularly in the previous two decades, feature around nine articles and five commentaries. However, in many years the commentaries have boomed, sometimes far outnumbering the articles.[80]

The cases examined are usually recent significant decisions in the superior courts and the statutes examined are usually recent significant legislative developments. Historically, the Review called for books to review (listing the books received that year in the back of the physical volume) and published a number of book reviews in each issue. The Review has since changed its emphasis and it now tends to publish only one or two book reviews a year. These book reviews tend to now be on a book of significance to the law school — for instance, a recent book authored or co-authored by one of the Auckland law school's academic staff.

77 Manley and Flaws, above n 59, at v.
78 RJ Asher and others, above n 20, at xi.
79 Muir and Peterson, above n 54.
80 See generally the volumes in the 1980s, 1990s and early 2000s. See, for example, the 1986 volume.

Generally, the commentaries are written by final year or graduating students who are near the top of their cohort. Sometimes the writers approach the Editors-in-Chief to write a commentary on a particular current, important topic that interests them. However, they are more commonly shoulder-tapped by the Editors to write a commentary on a case, statute or book of the Editors' choosing.

The Review has included commentaries since the inaugural issue, which included a case note.[81] The following issue, in 1968, featured both case notes and book reviews. However, that is where the commentaries end for some time.

In 1972, the Editors stated that they "decided to concentrate on publishing substantial papers and not to attempt to include book reviews or case notes", although they were aware that case notes and book reviews "appear in a number of other Law Reviews with larger editorial staffs".[82] Returning to the issue in 1975, the Editor noted that, while thought was given to reintroducing case notes and book reviews, only undergraduate research papers would be published.[83] After a few more years of publishing articles only, case notes and book reviews were finally re-introduced in 1978.[84]

In 1984, the Editors introduced legislation notes. As already hinted, the legislation notes are commentaries on legislative developments "aimed at providing practitioners, academics and students with up-to-date information on growth areas in the law".[85] The same year, the Review formalised the specialist Case Note Editor and Legislation Editor positions, which were a mainstay of the enterprise until only a few years ago.[86]

There have been two short-lived, but interesting developments in the commentaries in the past two decades. First, in 2000, the Editors-in-Chief introduced "a new breed of book review, aim[ed] to analyse electronic legal resources alongside the more traditional printed variety".[87] The new resource was a subscription service on E-commerce law.[88] Since then the books reviewed have been of the traditional printed variety. So that review is now an anomaly.

Secondly, while the commentary writers have generally been high-achieving law students, usually in their final year of study, the Editors in 2010 decided to try something new. In that issue the eight commentaries were "penned by Senior Editors, as opposed to recent graduates, as had

81 Although it was not signalled as such or contrasted with the articles. See RC Austin "Suisse Atlantique: A Rejection or a Moderation of Fundamental Breach?" [1967] Auckland U L Rev 87.
82 See Mather, Osborne and Butler, above n 22, at v.
83 See Bryan, above n 22.
84 See Manning, above n 72.
85 Helen Winkelmann and Leigh McGregor Goodwin "Editorial" (1984) 5(1) Auckland U L Rev.
86 We will discuss these positions in Part V: *Positions and Personnel*.
87 September Bell and Richard Hart "Editorial" (2000) 9(1) Auckland U L Rev.
88 See Guy Burgess "E-Commerce No Longer Relegated to Footnotes" (2000) 9(1) Auckland U L Rev 307.

become the practice in recent years".[89] Their approach was not replicated the following year and this seems to be a one-off.

The case notes, legislation notes and book reviews are now deep-rooted in the Review. Commentaries are shorter than articles. They are also relatively easy to commission, due to the high calibre of students at the law school and the prestige associated with publishing a piece in the Review. Accordingly, Editors-in-Chief can use the commentaries strategically. For instance, if most of the best articles in one year were on commercial topics, the Editors-in-Chief could commission commentaries on non-commercial topics to add variety. Also, if the Editors-in-Chief for some reason wish to take one more or less article than usual, they can balance this out later in the year by adjusting the number of commentaries.

Ad Hoc Indexes

The 1980s saw the Editors featuring indexes of research and statutes. The first index, in 1981, was billed as "a list of the research completed by the Law School during the last year".[90] Similar lists reappeared in the following few years,[91] including cumulative lists covering research completed in previous years.[92] In 1989, the Review also featured a list of statutes passed in that year alongside brief summaries of their objectives.[93]

The indexes disappeared from the Review for a couple of decades. But they were not forgotten, for in the year 2005, the Review included an index of LLB(Hons) research papers which had been placed at the Davis Law Library in the previous year or so.[94] Despite this unanticipated re-emergence, the indexes once again disappeared soon after and have not since returned.

In 2009, the Review started a similar feature. Rather than listing recent student research, that volume listed recent publications by academic staff of the Law School.[95] The feature did not last and the Law School's annual magazine Eden Crescent now serves this role by listing Auckland law academics' publications for the year.

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89 Max Harris and Patricia Ieong "Editors' Note" (2010) 16 Auckland U L Rev. Note that two of these Senior Editors were designated as Commentaries Editors.

90 Clapshaw and Driscoll, above n 73. See "Research of Legal Interest Deposited in the Auckland University Law Library between 1 January 1980 and 31 July 1981" (1981) 4(2) Auckland U L Rev 235.

91 See, for example, "Research of Legal Interest Deposited in the Auckland University Law Library between 1 July 1981 and 30 June 1982" (1982) 4(3) Auckland U L Rev 339.

92 In 1983, the index provided a list for the past few years. "Research of Legal Interest Deposited in the Auckland University Law Library between 31 March 1979 and 31 March 1983" (1983) 4(4) Auckland U L Rev 435. In 1984 the Review provided cumulative indexes of articles published in the AULR in the period of 1967 to 1983 by subject matter, by author's surname and by title. See "Cumulative Index Volumes 1 to 4 Inclusive (1967–1983)" (1984) 5(1) Auckland U L Rev 108. See also Marjoribanks and Smith, above n 59.

93 See R Bruce McClintock and Andrew Simester "Editorial" (1989) 6(2) Auckland U L Rev.

94 "Research Index" (2005) 11 Auckland U L Rev 243. See Aditya Basrur and Elicia Tan "Editors' Note" (2005) 11 Auckland U L Rev v at v.

95 See Samuel Beswick and Rina See "Editors' Note" (2009) 15 Auckland U L Rev.

Symposia

The year 1993 marked the centenary of women's right to vote in New Zealand. In that year, the Editors decided to assemble a collection of essays on issues relating to women and the law. The resulting "symposium" — complete with an introduction by Dame Augusta Wallace, who was then a retired District Court Judge[96] — was published in an entirely separate bound book additional to the main issue.[97]

In 1993, the Editors warned their successors that symposia on specialised topics might be perceived as mere token gestures,[98] and could have the effect of reducing the number of persons exposed to the articles in the ancillary publication.[99] Nonetheless, the Editors saw great value in holding symposia and encouraged other Editors to do so.[100] Indeed, the Editors the following year decided to publish another symposium separate to the main issue that year. It being the United Nations' International Year of the Family that year,[101] the symposium focused on legal issues relating to the family.

Both symposia began with separate Editorials to those in the main issues. For whatever reason — probably, realistically, the time required to produce the supplementary publication — the Editors in 1995 did not publish a third symposium. As we will discuss shortly, the concept of a symposium was reanimated in a different form nearly two decades later.

Ko Ngā Take Ture Māori

The Review has been a notable contributor to scholarship on Māori legal issues. In fact, the very first article featured in the very first volume of the Review was on the "Fragmentation of Maori Land".[102] Furthermore, in most years since 1978 the Review has published one or more articles on legal issues affecting Māori.[103]

In 1996, the Review formalised its commitment to Māori legal issues by establishing the Ko Ngā Take Ture Māori section. The Editors that year wrote:[104]

96 Augusta Wallace "Introduction" (1993) 7(2) Auckland U L Rev.

97 See Miko Bradford and Robert Hollyman "Editorial" (1993) 7(2) Auckland U L Rev.

98 Philippa Baker and others "Editorial" (1993) 7 Auckland U L Rev. The other Editors were Miko Bradford, Robert Hollyman and Jessica Yelas.

99 The articles are likely to be more visible in the main issue. See Andrea G Newland and Nicholas Rhodes Williams "Editorial" (1994) 7(3) Auckland U L Rev.

100 Bradford and Hollyman, above n 97.

101 See Simon Mount "Editorial" (1994) 7 Auckland U L Rev.

102 JR Holmes "Fragmentation of Maori Land" [1967] Auckland U L Rev 1.

103 The 1978 volume featured an article on Maori Land Development. See W Galvin "Maori Land Development with Particular Reference to Land Development at Poutu, Northland" (1978) 3(3) Auckland U L Rev 291.

104 Knight and Crump, above n 61. The Editors-in-Chief in 1998 added that the section was "a forum for the discussion of legal issues of significance to Maori, and thus to the rest of New Zealand". Pearson and Young, above n 61.

> We are particularly pleased to introduce the new Ko Ngaa Take Ture Maori critique into an enhanced commentary section. It is hoped this new section will become a focus for academic discussion and debate on matters Maori and provide a vehicle for Maori scholarship generally.

In every year since, the Ko Ngā Take Ture Māori section has featured at least one article on a legal issue of significance to Māori. In 1997, the Editors-in-Chief reported that the section had been "expanded".[105] And in 2003, the Editors-in-Chief were proud to declare that their issue had the largest Ko Ngā Take Ture Māori section in the Review at that time.[106]

From 1996 to 2012, the section was positioned near the end of the Review — after the articles, but before the case notes, legislation notes and book reviews. In a dramatic change, the Ko Ngā Take Ture Māori article in 2013 featured before the articles.[107] However, this was because the article was the winner of the Writing Prize that year (and it was customary for the winning article to be featured first).[108] Indeed, the Ko Ngā Take Ture Māori article returned to its usual position near the end of the Review in 2014.[109] This was only temporary, however, for, in 2015, the Editors-in-Chief decided to bring the Ko Ngā Take Ture Māori section near the front again, before the articles, even though the Ko Ngā Take Ture Māori article did not win the Writing Prize.[110] And that is where the Ko Ngā Take Ture Māori section lives today.[111]

Te Mata Koi

In 1998, the AULR adopted a Māori title, which has adorned the top cover of every issue since.[112] According to the Editors-in-Chief that year:[113]

> The law is often central to political change, and … must be inclusive and responsive to the many needs of the community, and particularly the often marginalised voices of indigenous peoples.

The Māori title, Te Mata Koi, translates as "the sharp blade"[114] and represents "the Law Review's philosophy of being at the cutting edge of

105 Hunter and King, above n 61.
106 Anita Kundu and Mark Utting "Editorial" (2003) 9(4) Auckland U L Rev.
107 See Jack Oliver-Hood "Our Significantly Indigenous Administrative Law: the Treaty of Waitangi and Judicial Review" (2013) 19 Auckland U L Rev 53.
108 See 53, n †.
109 See Thomas Clark "Sentencing Indigenous Offenders" (2014) 20 Auckland U L Rev 245.
110 See David Green "Interweaving the Status and Minority Rights of Māori Within Criminal Justice" (2015) 21 Auckland U L Rev 15.
111 The section now sits immediately after the special features section and before the other articles. See, for example, Green, above n 110; Savannah Post "One Law for All: Reconciling Indigenous Rights and the Right to Equality Before the Law" (2016) 22 Auckland U L Rev 42; and Aditya Vasudevan "Restoring Rangatiratanga: Theoretical Arguments for Constitutional Transformation" (2017) 23 Auckland U L Rev [this volume].
112 More specifically, the top of the cover of every volume since 1998 has been adorned with both titles: first "Te Mata Koi" followed by "Auckland University Law Review". The words "Law Review" are usually in all caps.
113 Pearson and Young, above n 61.

New Zealand law".[115] It also represents the Review's ongoing aims and the standard of work its Editors strive to publish.[116]

More broadly, the title reflects "the relationship between the Crown and tangata whenua" as foundational to modern New Zealand.[117] It was the Review's response to the "increasing recognition" that Māori must play a vital role in the development of the legal system — that is, if we wish to "create a just society".[118] Thus, the adoption of a Maori title was, in many ways, a logical extension of the Ko Ngā Take Ture Māori section instituted two years prior.[119]

Special Features

As the Review ages and establishes relationships with an increasing number of distinguished law academics, professionals and members of the judiciary, it accumulates an increasingly enviable list of alumni and friends, many of whom attend and partake in AULR events. As mentioned in Part II, the Review has recently hosted numerous Symposia, Alumni Dinners and other events.[120] It has also, as we will now summarise briefly, published some of the contributions to these events in an annual *special features* section.[121]

The first special feature was published in 2012. This feature was the transcript of an interview with the Hon Michael Kirby AC CMG at the Auckland Law School on 30 March 2012.[122] The interview was conducted by long-time friend of the Review, the Rt Hon Sir Edmund Thomas, and was on the topic of judicial activism.

Several special features have followed. In 2013, the Review featured a public lecture by Lord Phillips delivered at the Auckland Law School on 26 March 2013.[123] In 2014, the Review featured a presentation by AULR alumna and Bell Gully partner Rachel Paris at that year's AULR Alumni Symposium on 15 September 2014.[124] In 2015, the special features section featured a copy of AULR alumna and Court of Appeal Justice Helen Winkelmann's AULR Alumni Dinner speech on 14 October 2015.[125] And, in 2016, the section featured a paper on marriage equality law, again by the

114 Pearson and Young, above n 61.
115 "History" Auckland University Law Review <www.aulr.org>.
116 See Pearson and Young, above n 61.
117 Pearson and Young, above n 61.
118 Pearson and Young, above n 61.
119 See Pearson and Young, above n 61.
120 For information about the events themselves, see, for example, Part IV: *AULR Symposia* and Part IV: *AULR Alumni Dinner*.
121 See Part II: *Undergraduate Enterprise*.
122 "An Interview with the Hon Michael Kirby AC CMG by the Rt Hon Sir Edmund Thomas on 'Judicial Activism'" (2012) 18 Auckland U L Rev 1 at 1, n *.
123 Lord Phillips "The Supreme Court of the United Kingdom" (2013) 19 Auckland U L Rev 13 at 13, n *.
124 Rachel Paris "Curbing 'Irrational Exuberance': Conduct and Governance in the Financial Markets Conduct Act 2013" (2014) 20 Auckland U L Rev 10.
125 Helen Winkelmann "Auckland University Law Review Alumni Dinner Speech 2015" (2015) 21 Auckland U L Rev 10.

Hon Michael Kirby AC CMG, and this time based on an address given at the Auckland Law School on 25 September 2015.[126] Finally, as we will discuss in more detail in Part IV,[127] the 50th Anniversary issue of the Review includes a record four special features in just one volume.[128]

Tribute

The year 2013 necessitated a *Tribute* section. In that year, Justice Sir Robert Chambers KNZM QC suddenly passed away. Sir Robert was a well-known supporter of legal writing — having, for instance, written the Preface to the first[129] and second[130] editions of the New Zealand Law Style Guide — and Sir Robert's contributions were acknowledged in a fitting tribute to his service by Faculty Adviser and former clerk John Ip.[131]

Advertisements

The evolution of advertising in the Review is simply fascinating and, if you ever find yourself in a library with the complete set, it is certainly worth flicking through each issue to see how the times have changed! While we were doing so, our comparatively studious research assistants noted several themes emerging from that history.

From the 1960s through to the end of the 1970s, the majority of advertisements appear to have been from charities;[132] banks and insurance companies;[133] and booksellers and publishers.[134] The inclusion of banks and insurance companies, in particular, seems to suggest an assumption at the time that most law students — likely from somewhat privileged backgrounds — would enter the legal profession and go into small practice, where they would require such services.

The gradual diversification of the law profession was slow to be reflected in the advertisements. One example is the very slow emergence of advertisements featuring female lawyers. Early advertisements tended to

126 Michael Kirby "Marriage Equality Law and the Tale of Three Cities: How the Unimaginable Became Inevitable and Even Desirable" (2016) 22 Auckland U L Rev 11 at 11, n *.

127 See Part IV: *AULR Symposia* and Part IV: *AULR Alumni Dinner*

128 Elias, above n 2; Mark Cooper "Auckland University Law Review 50th Anniversary Alumni Dinner Speech" (2017) 23 Auckland U L Rev [this volume]; Paul East "Life as the Attorney-General: Being in the Right Place at the Right Time" (2017) 23 Auckland U L Rev [this volume]; and Kayleigh Ansell and Jayden Houghton "A Brief History of the Review" (2017) 23 Auckland U L Rev [this volume].

129 Robert Chambers "Preface" in Geoff McLay, Christopher Murray and Jonathan Orpin *New Zealand Law Style Guide* (Thomson Reuters, Wellington, 2009) xi.

130 Robert Chambers "Preface to the Second Edition" in Geoff McLay, Christopher Murray and Jonathan Orpin *New Zealand Law Style Guide* (2nd ed, Thomson Reuters, Wellington, 2011) xiii.

131 John Ip "A Tribute to Justice Sir Robert Chambers, KNZM, QC, 1953–2013" (2013) 19 Auckland U L Rev 8.

132 See, for example, the Lepers' Trust, Red Cross and Barado's.

133 See, for example, the New Zealand Insurance Company, Guardian Trust and CBA Bank.

134 See, for example, The University Book Shop, Sweet & Maxwell and Avon Publishing.

feature older, white-haired Pākehā men.[135] The earliest advertisement we found that featured a woman was a 1971 advertisement for Olivetti typewriters. The woman shown was a secretary, not a lawyer. The advertisement read:

> He insisted on excellence, so I insisted on Olivetti.
>
> My boss was a dear about it – gave me carte blanche to buy the best
>
> …
>
> And the girls are thrilled about their new Olivetti Linea 88's …

The next female appearance is in a 1976 BNZ advertisement. This time the woman is the *mother* of a young male law student who had just graduated. (Baby steps.) And, in 1977, an advertisement for ASB shows a woman positioned behind the main figure (a man) — given the era, presumably her husband — who is waving a letter from the bank, ecstatic because he (they) had just been granted a home loan.

Some progress was at last made in the 1978 issue where a BNZ advertisement featured two pictures: one of two female law students; and one of a male lawyer. And, finally, in 1987 — 20 years after the inaugural issue — a BNZ advertisement featured a female law graduate.[136]

The inclusion of women in advertisements has not marked the end of gendered stereotyping. However, the advertisements in recent years reflect, to a much greater degree than in the past, the diversity that underlies the modern legal profession.

Another theme that emerges is the gradual development and recognition of technology as an important part of the legal sector. A 1984 advertisement for WANG: the Office Automation Computer People reads "Wanglaw: The Fastest Thing to Happen to Legal Accounting". As another example, the 1987 issue featured a Xerox advertisement for new "copiers, laser printers, electronic typewriters [and] facsimiles". These advertisements are fascinating, not only because they reflect (more or less) how the legal profession has evolved over time, but because they also reflect how the legal profession has been perceived to evolve by *other* professions over time.

In the 1990s, advertisements for law firms began to appear. The 1994 issue, for example, featured advertisements for Bell Gully Buddle Weir; Simpson Grierson Butler White; Deloitte Touche Tohmatsu; and Russell McVeagh McKenzie Bartlett & Co. It is interesting to note the relatively late emergence of these advertisements, given that law firm advertisements now account for a great deal of the advertisements published in the Review.

135 See the 1971 Guardian Trust advertisement, featuring an older Pākehā man wearing glasses.

136 While these were certainly steps forward, one wonders if there was still an assumption that these women would, at some point, eventually give up their careers for marriage and motherhood.

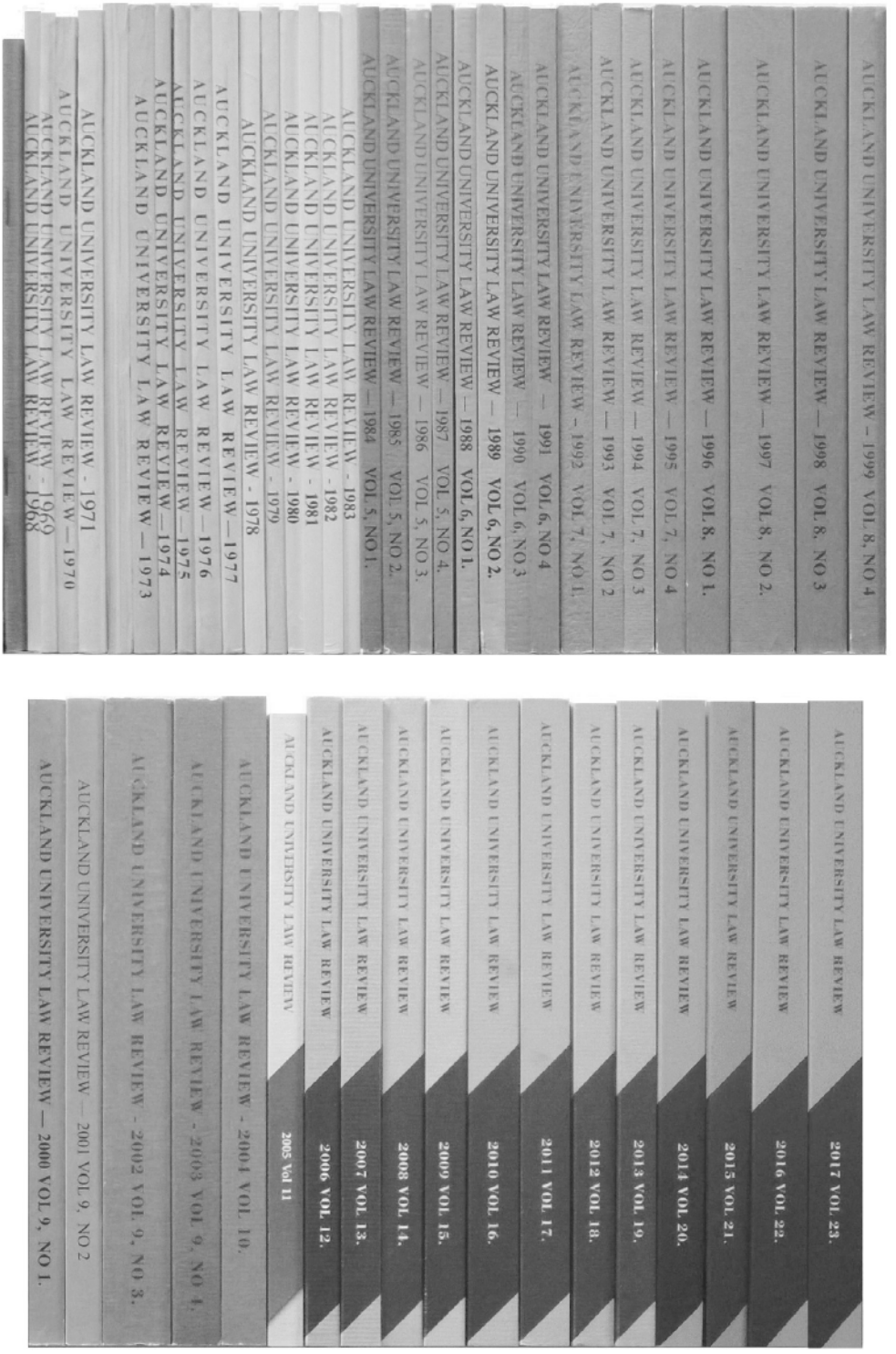

Figure 1: *AULR Issues (1967–2017)*

Front Matter, Cover and Size

We should also note that the front matter, the cover and the overall thickness of the Review have changed over time. Until the late 1980s, the contents pages in each issue listed the titles and authors of that issue's articles, but not the titles and authors of its commentaries. This changed in 1987 when the Editors decided to list the titles and authors of the legislation notes, case notes and book reviews on the contents pages for the first time.[137] The Editors believed that the contents should better reflect the "importance, relevance and undoubted utility" of the commentaries to students, and suggested that the change was long overdue.[138] This practice continues today.

As to the cover, the Editors in 1984 instituted a new cover design "with a more accessible index".[139] The current design, with the dark blue strip running dialogically up a grey background, was first featured in 2005.

Finally, the images on the previous page show 50 issues of the physical Review.[140] As you might agree, the physical Review remained — with a few exceptions — about the same thickness from 1967 until the late-1990s, when it grew rapidly to about its current thickness. The number of pages has since fluctuated. However, except for two particularly thick volumes in 1997 and 2002 (and a few thinner ones between), the physical issue has remained at roughly the same thickness since the late 1990s.[141]

IV OTHER ADDITIONS

In Part IV we discuss some of the additions to the Review enterprise that were not additions to the volume itself.

AULR Alumni Advisory Board

In 2006, the Review established an AULR Alumni Advisory Board. The "steering committee" that worked to institute the Board was comprised of the inaugural Editors, the Hon John Priestley and Alan Galbraith QC, as well as Adam Ross QC, Professor Michael Littlewood, Professor Paul Rishworth (at the time Law Dean) and Aditya Basrur, who had been an enterprising Editor-in-Chief the year before.[142]

137 Caldwell and Sutton, above n 22.
138 Caldwell and Sutton, above n 22.
139 Winkelmann and McGregor Goodwin, above n 85.
140 And the 50th Anniversary issue! The photos were taken by Michelle Chen and Jayden Houghton.
141 The inside covers to the 50th Anniversary Issue of the Review also showcase the existing volumes side-by-side in chronological order. See (2017) 23 Auckland U L Rev [this volume].
142 Sean Kinsler, Kyle Nevin and Jonathan Orpin "Editors' Note" (2006) 12 Auckland U L Rev.

The Advisory Board is not fixed and membership is to be re-determined every three years.[143] The members of the Board are ideally persons in key positions in the judiciary, profession and Faculty,[144] and the idea is that the Editors-in-Chief can liaise with the Board members when they require their specialist assistance.[145]

AULR Alumni Dinner

In 2009, the Review held its first AULR Alumni Dinner, with the Hon Sir Noel Anderson acting as the keynote speaker.[146] The Editors expressed a hope that this would become an annual event — and it did. Subsequent dinner speakers, somewhat unsurprisingly, read very much like a *who's who* of the legal profession.

The 2010 dinner featured Simon Mount, who was appointed Queen's Counsel this year.[147] Mount's comments on the evolving purpose of law reviews influenced the future direction of the journal — prompting the now firm tradition of publishing special features written, not by students, but by alumni.[148] The following year featured a dinner speech by former politician, the Hon John Tamihere.[149] At the 2012 Alumni Dinner, Justice Raynor Asher gave a speech on the "challenges to the justice system posed by modern technology".[150] And in 2013, founding Editor-in-Chief Alan Galbraith QC returned to deliver the dinner speech and meet the 2013 editorial team.

The speaker in 2014 was Sir David AR Williams QC who, as a contributor, also featured in the inaugural issue.[151] In 2015, Justice Helen Winkelmann gave an insightful speech, which was ultimately published as a Special Feature in that year's issue.[152] Commenting on the state of the law and the relevance of law reviews, Justice Winkelmann remarked that "there

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143 Note that the Board includes two rolling positions for the Editors-in-Chief for the previous issue and these necessarily change automatically on an annual basis. Note also that Board membership is due to be re-determined in 2018.

144 The current AULR Alumni Advisory Board is comprised of the following alumni, in the order displayed on the physical volume of the Review: the Rt Hon Dame Sian Elias, the Hon Sir Noel Anderson, the Rt Hon Sir Peter Blanchard, Justice Helen Winkelmann, the Hon John Priestley CNZM QC, the Hon Sir Grant Hammond, Alan Galbraith QC, Penelope Nevill, Mark Gavin, Associate Professor Amokura Kawharu, Professor Michael Littlewood, Roger Partridge, Professor Paul Rishworth QC, Adam Ross QC, Professor Andrew Simester, Jonathan Stone, John Ip, Dr Campbell Walker QC and Aditya Basrur.

145 As an example, the Alumni Board would ideally have a representative from each of the big firms so that the Editors-in-Chief can work with those Board members to advertise and encourage attendance at the annual AULR Symposium and AULR Alumni Dinner. The Faculty Advisers, representing the Auckland Law School, are currently on the Board. See also Kinsler, Nevin and Orpin, above n 142.

146 See Beswick and See, above n 95.

147 Harris and Ieong, above n 89.

148 Choi and Ruddell, above n 23. For more information about the special features section, see Part III: *Special Features*. See also Part IV: *AULR Symposia*.

149 Chan and Tompkins, above n 12.

150 Choi and Ruddell, above n 23.

151 As already noted, Sir David AR Williams QC was the one non-student contributor to the Review before the advent of the special features section in 2012.

152 Winkelmann, above n 125.

will always be areas in which the law needs to develop to respond to changes in society, or to better meet the needs of a just society".[153]

Justice Winkelmann was followed by another member of the judiciary. At the 2016 dinner, Judge Mina Wharepouri "spoke from his own experience as a criminal law barrister and judge in the Manukau District Court about sexual violence reform".[154] Finally, for our 50th Anniversary Alumni Dinner this year, we were privileged to host Court of Appeal Justice Mark Cooper QC as our speaker. Justice Cooper's speech was very fitting of the celebrations and is now available to read as one of this issue's special features.[155]

The Alumni Dinner has become a highlight of the Review's annual calendar, bringing together students and past alumni to celebrate the Review's illustrious history. We are confident that this tradition will continue to receive rave reviews over the coming decades.

AULR Symposia

In 2010, the Review hosted the inaugural AULR Symposium, "bringing together judges, practitioners, academics and students to reflect on past contributions to the Review".[156] Speaking about their original AULR articles, the Symposium featured six high-profile Review alumni: the Rt Hon Dame Sian Elias QC, the Rt Hon Sir Peter Blanchard, the Hon Sir Grant Hammond, the Hon Anthony Randerson QC, Professor Paul Rishworth QC and Adam Ross QC.[157]

In 2011, a number of distinguished Review alumni were invited to present papers "centred loosely on the theme of access to justice".[158] The event was chaired by Justice Sir Robert Chambers QC and featured presentations by Judge Andrew Becroft, former Attorney-General and Speaker Professor Margaret Wilson and John Katz QC. The Editors-in-Chief that year accepted "the challenge laid down by Simon Mount" at the 2010 Alumni Dinner by announcing that the Review would "expand for the first time the pool of contributors … beyond students" and publish papers presented at the AULR Symposia by non-students as special features.[159]

For their Symposium in 2012, the Editors-in-Chief decided upon the theme of *Constitutional Review* to align with the ongoing work of the Constitutional Advisory Panel.[160] The Symposium was chaired by Review alumnus and Court of Appeal Justice Lynton Stevens, and featured presentations by the Hon Dr Wayne Mapp, barrister Stephen Hunter and chair of the Hauraki collective Paul Majurey — all Review alumni.

153 At 13.
154 Chloe Fleming and George Dawson "Editors' Note" (2016) 22 Auckland U L Rev 7 at 9
155 Cooper, above n 128.
156 Harris and Ieong, above n 89. The inaugural AULR Symposium was officially called the "AULR Contributors' Symposium" because it featured six earlier contributors.
157 Harris and Ieong, above n 89.
158 Chan and Tompkins, above n 12.
159 Chan and Tompkins, above n 12.
160 Choi and Ruddell, above n 23.

The 2013 Symposium was chaired by Review alumna and then Chief High Court Judge Justice Helen Winkelmann, and featured Ian Narev (CEO of the Commonwealth Bank of Australia) as the guest speaker. Narev, also a Review alumnus, spoke on *Banking Regulation and the current Financial Climate*.[161] Given Narev's background and the event's theme, the Symposium attracted a significant number of attendees from outside the strictly legal sphere, with the Editors-in-Chief recalling that Narev "delivered an engaging presentation to a packed lecture theatre".[162]

The commercial theme continued in 2014 with the Symposium featuring a panel of financial law experts discussing the key reforms implemented by the introduction of the Financial Markets Conduct Act 2013. The practical session featured four Review alumni: Nick Williams as Chair; and Roger Wallis, Rachel Paris and Garth Stanish as presenters.[163]

At the 2015 Symposium, Penelope Nevill — a barrister at 20 Essex Street — flew in from London to discuss the role of sanctions within international public law. Nevill was in good company, with the Hon Sir Grant Hammond acting as chair for the event. As might be expected by now, both are Review alumni.

In 2016, the Symposium turned to consider issues of public law, with former Attorney-General the Rt Hon Paul East QC delivering a presentation titled *Life as the Attorney-General: Being in the Right Place at the Right Time*.[164] Distinguished Review alumnus, Justice Paul Heath, acted as chair for the event, providing insights on the role of Attorney-General from a judicial perspective. By virtue of the Symposium being quite late in the year, publication of Mr East's presentation was delayed until the following year[165] — a happening the Editors-in-Chief in 2017 were most pleased about!

For our 2017 Symposium, we could not have conceived of a more suitable guest speaker for the 50th Anniversary than the current Chief Justice of New Zealand, the Rt Hon Dame Sian Elias QC. Dame Sian's influence at the top tier of New Zealand's legal system was evident as she spoke to the 50th Anniversary theme. Her presentation was titled *Looking Back, Looking Forward: Reflections on 50 Years in the Law*. Dame Sian's speech, which is as colourful in print as it was in person, is published in this issue as the first special feature — a most suitable opening to the 50th Anniversary issue. In addition, the event was chaired by Professor Julia Tolmie, one of the country's leading authorities on criminal law and policy, and the place and role of women in the legal system.

A few years ago, the Editors-in-Chief hoped the Symposium would "become a firmly established feature of the AULR calendar".[166] It has certainly done that. The Symposium has thrived — and will almost certainly

161 Clark and Upadhyay, above n 58.
162 Clark and Upadhyay, above n 58.
163 Soyeon Lim and Yi Miao "Editors' Note" (2014) 20 Auckland U L Rev 7.
164 See Fleming and Dawson, above n 154, at 9.
165 See East, above n 128.
166 Chan and Tompkins, above n 12.

continue to do so — by virtue of the Review's enviable network.[167] Although the Review faces many challenges in organising annual events like the AULR Symposium and the AULR Alumni Dinner, securing illustrious Review alumni to speak or present is never one of them!

Honours Symposium

In the years 2011–2013, the Review held an Honours Symposium "for the benefit of students attempting to complete their first piece of written work for the Honours programme".[168] In 2011, the inaugural Honours Symposium showcased "some of the best presentations from the 2010 honours seminars", giving "prospective honours students a useful preview of the various seminars".[169] It also celebrated "the AULR's connection with the Honours programme", emphasising one of the Review's original purposes: "to promote honours students' work".[170] The Honours Symposium was repeated again in 2012, where five top students gave "brief presentations based on their Honours seminar papers from 2011"[171] and again in 2013, where "four of the best Honours Seminar papers from 2012" were showcased.[172] The Honours Symposium was not repeated in 2014 and is yet to be reconvened.

Website and Alumni Database

In 2000, a website was launched, "herald[ing] a new era for the … Review".[173] In 2005, the website was significantly updated and re-launched, now including front matter for every past issue and information on new initiatives.[174] By the end of the year, the Editors remarked that Review alumni were already communicating through the website.[175] It was a little later, in 2007, that the Review launched its Alumni Database.[176] After a further update in 2009,[177] the website now lists all AULR alumni from 1967 until the most recent year — and is updated annually.[178] It also features contents pages from the Review's archives and photographs from past events.[179]

167 See Part VI: *Alumni*.
168 Clark and Upadhyay, above n 58.
169 Chan and Tompkins, above n 12.
170 Chan and Tompkins, above n 12. See also Part II: *Inception*.
171 Choi and Ruddell, above n 23.
172 Clark and Upadhyay, above n 58.
173 Bell and Hart, above n 87.
174 See Basrur and Tan, above n 94.
175 Basrur and Tan, above n 94.
176 See Sophie Klinger and Brendon Orr "Editors' Note" (2007) 13 Auckland U L Rev.
177 Note that the 2009 issue credits a Website Designer; and the 2010 and 2011 issues credit Website Editors.
178 "Alumni List" Auckland University Law Review <www.aulr.org>. See Beswick and See, above n 95.
179 See Beswick and See, above n 95.

Charitable Trust

In 2001, the Law Review formed the Auckland University Law Review Charitable Trust.[180] This meant that the Review would no longer be directly funded by the Law Faculty.[181] Instead, it would be "published by a newly-formed charitable trust" that could "seek sponsorships and donations accordingly".[182] In doing so, the Review became financially independent of the University of Auckland Law Faculty (at least on paper).[183] The original trustees were Professor Julie Maxton, then Dean of the Law School, and lecturer Paul Myburgh, as well as the Editors-in-Chief at the time.[184]

Editing Guide and Training

In 1984, the Review adopted the Butterworth's style of citation, which had become the official Law School style.[185] The decision was made, sensibly, "[i]n the interests of consistency".[186] Butterworth's was superseded in 2009 by the first edition of the New Zealand Law Style Guide,[187] which soon became the go-to referencing guide for most legal writing in New Zealand. Even by 2011, the Style Guide had been adopted by the judiciary and profession across New Zealand. As then Court of Appeal Justice Sir Robert Chambers QC wrote:[188]

> … the take-up has been nothing short of amazing. All the New Zealand law schools adopted it. So did all the New Zealand publishers of law reports and journals. Most courts (including the Supreme Court and the Court of Appeal) and many tribunals follow it. Other entities, such as the Law Commission, have used it in their publications. Many barristers now follow it in their court submissions.

The first edition was itself superseded in 2011 with the release of the second edition.[189]

Considering the extensive uptake of the Style Guide, it made sense that the Review would adopt the Style Guide as the foundation for its House Style and editorial policies. Indeed, in 2010, the Review began to replace former style guidelines and adopt the rules in the Style Guide.[190] It also

180 Aukett and Taylor, above n 57.
181 Bell and Hart, above n 87.
182 Bell and Hart, above n 87.
183 See Part II: *Undergraduate Enterprise*.
184 See Aukett and Taylor, above n 57. Note that the trustee positions held by the Editors-in-Chief were intended from the beginning to change with each new appointment.
185 Winkelmann and McGregor Goodwin, above n 85.
186 Winkelmann and McGregor Goodwin, above n 85.
187 Geoff McLay, Christopher Murray and Jonathan Orpin *New Zealand Law Style Guide* (Thomson Reuters, Wellington, 2009).
188 Robert Chambers, above n 130, xiii at xiii.
189 Geoff McLay, Christopher Murray and Jonathan Orpin *New Zealand Law Style Guide* (2nd ed, Thomson Reuters, Wellington, 2011).
190 See Harris and Ieong, above n 89.

developed the AULR Editing Guide, which sets out the Review's House Style. With a few rare exceptions, the Editing Guide is consistent with, and intended to be read alongside, the Style Guide. It also clarifies how to resolve ambiguities in the Style Guide. The Editing Guide has been added to, and refined, over the years and it is currently about 40 pages long.

The Review also organises annual training sessions for its editors. In 2005, the Editors-in-Chief instituted "a thorough training [programme] for senior editors and sub-editors".[191] These sessions are run by the Editors-in-Chief — often in collaboration with the Davis Law Library — and rigorously train the editors to be effective source finders and citation checkers.[192]

In 2011, a training programme for style editors was instituted by Adam Ross QC and Matt Sumpter — partners at Chapman Tripp.[193] According to Adam, this programme was an evolution of the much longer two-session course that Matt and himself were providing at the time for LLB(Hons) students, as well as staff at their firm.[194] Since becoming a barrister sole, Adam continues to train our style editors at Shortland Chambers, where his annual training session has become, by all accounts, one of the highlights for the editors each year. The Review is very fortunate to have Adam's ongoing support.

Technology and Facilities

We have already mentioned that the Faculty has long provided physical spaces for the Review to operate from.[195] The Review has also been fortunate to receive new technologies from the University, as well as from corporate benefactors. In 1985, Russell McVeagh McKenzie Bartleet & Co provided word processor facilities.[196] The year 1992 is recorded as the first year the Review "venture[d] into desktop publishing".[197] And, in 2001, the University Computer Consortium was responsible for an upgrade to the Review's computer system and software packages.[198] In that year, the Business Manager was also able to organise a new accounting and administration system — providing "up-to-date subscription and accounts information".[199] As far as we are aware, this system has since lapsed. So that is something the Review should probably investigate in the near future!

191 Basrur and Tan, above n 94.
192 Recently, the Review has also benefited from a close relationship with the Public Interest Law Journal of New Zealand, which is also based at the University of Auckland. Many editors are involved with both publications, receiving twice the training and experience in the process.
193 See Chan and Tompkins, above n 12. Note that Ross and Sumpter are both Review alumni.
194 Email from Adam Ross to Kayleigh Ansell and Jayden Houghton regarding the history of the style editor training session (4 November 2017).
195 See Part II: *Undergraduate Enterprise*.
196 See Stephen Dare and Michael Prouting "Editorial" (1985) 5(2) Auckland U L Rev.
197 Sadie K Curlett, Bernadette Jew and Kieren Barry "Editorial" (1992) 7(1) Auckland U L Rev.
198 Aukett and Taylor, above n 57.
199 Aukett and Taylor, above n 57.

Writing Prize

As already mentioned, a Writing Prize was instituted early on for the best article published in each issue.[200] The sponsor for the Prize has changed over time. For at least the past fifteen years,[201] the Prize has been sponsored and decided by partners at the law firm MinterEllisonRuddWatts.[202] The firm has also, in some years, awarded prizes for second and third place.

Other Initiatives

We must also acknowledge that some of the Review's initiatives were not so enduring. As an example, in 2005, the Review trialled a Sub-editors' commentary competition.[203] Such was the short life of this initiative that we were not able to find information about it! In 2010, the Editors "initiated a productive collaboration with the Auckland Branch of the New Zealand Society for Legal and Social Philosophy, whereby several of [that year's authors] … presented seminars on their articles".[204] While this seems to have offered a fantastic opportunity, we could not find any record of it being repeated. Finally, in 2012, the Review organised an hour-long Honours Seminar Paper Writing Workshop "which aimed to give practical advice and assistance to current Honours students".[205] Again, we were unable to find any other record of this workshop. However, it seems to be the sort of event that the capable editors of the Review could easily run — with minimal effort — as a means of advertising the Review to the wider law student body.[206]

Subscriptions and Databases

We have already discussed the shift in the preferred format from physical access to electronic access and the resulting drop in the sales of physical law journals generally.[207] In spite of this, the Review continues to attract subscribers from around the world who consistently purchase print editions of the Review. Universities in the United States, the United Kingdom, Australia, Hong Kong, Germany, the Netherlands and the Caribbean maintain subscriptions to the Review. Libraries in the United States, the United Kingdom, Japan and the Netherlands also subscribe. In New Zealand, the Review is ordered by the Court libraries, as well as the major law firms and many boutique firms. The Review is also purchased by barristers and

200 See Hancock, above n 51, at v.
201 See Ho and Peachey, above n 55.
202 The Prize is currently attached to a monetary award to the value of $500.
203 Basrur and Tan, above n 94.
204 Harris and Ieong, above n 89.
205 Choi and Ruddell, above n 23.
206 Of course, it would probably be immensely beneficial to the Honours students attending too!
207 See email from Stephanie Carr (30 October 2017), above n 42.

other persons — many of whom are retired lawyers — interested in the legal and socio-legal issues concerning the next generation of lawyers.

As to electronic subscriptions, the Editors signed, in 2003, "an agreement with William S. Hein & Co to make the Review available electronically as part of" the HeinOnline database.[208] At the time, this made HeinOnline the "sole distributors of back issues of the Review",[209] with past volumes of the Review being available electronically partway through the following year.[210] The Editors noted three benefits of this deal for the Review. First, it would increase its potential readership.[211] Secondly, it would "simplify the business structure of the journal".[212] Finally, it would free up storage space and allow the Editors to print a more precise number of journals — thus saving money.[213]

In 2008, the Editors-in-Chief signed another non-exclusive agreement, this time with Informit.[214] The entire back catalogue is now available on both databases. Between 2003 and 2008, part of the Review's back catalogue also became available via the New Zealand Literary Information Institute (NZLII).[215]

Most recently, in 2011, the Review partnered with legal publishers Thomson Reuters. The Review is now also included in Thomson Reuters' library of online journals — which, as the Editors-in-Chief noted in 2011, makes the Review even "more accessible to New Zealand students, practitioners and academics".[216]

The Review is now read widely in New Zealand and around the world — particularly the common law world. In 1987, on the 20th Anniversary, the Editors noted the Review's extensive circulation within New Zealand and its "impressive overseas subscription list".[217] The subscription list has probably dropped since then. However, with its lucrative agreements with several leading databases in this market, the Review is now available to more readers than ever before.

V POSITIONS AND PERSONNEL

In Part V we survey the evolution of the editorial and managerial positions. What follows is an intentionally depersonalised outline that, hopefully,

208 Kundu and Utting, above n 106. See Agreement between Auckland University Law Review and William S. Hein & Co., Inc signed 25 June 2003.
209 Kundu and Utting, above n 106.
210 Robinson and Sage, above n 59.
211 Kundu and Utting, above n 106. Indeed, signing with HeinOnline allowed "the Review to reach an even wider audience". Robinson and Sage, above n 59.
212 Kundu and Utting, above n 106.
213 Kundu and Utting, above n 106.
214 Agreement between Auckland University Law Review and RMIT Publishing signed 27 August 2008.
215 See Basrur and Tan, above n 94.
216 Chan and Tompkins, above n 12.
217 Caldwell and Sutton, above n 22.

captures the changing size and composition of the Review team. In Part VI, we will add to this graphite sketch the colourful humans who served in these positions.

Editorial Positions

As we have already mentioned, the inaugural issue had two Editors. Over time, the number of editors has increased significantly. The number of Editors fluctuated between two and four between 1967 and 1973. For the next few years, from 1974–1978, each issue credits only one Editor. And, from 1979–1983, there were consistently two. Generally, in these first sixteen years, there is only one level of editor. However, there were exceptions. For instance, in 1968 the Editors are joined by a Case Note Editor and a Book Review Editor. And, in 1971, one student is credited as a Co-ordinating Editor.

After a long period with, generally, only one level of editor, from the mid-1980s an enduring hierarchy of editors begins to develop. The first development was a return to appointing editors for commentaries, who were, generally, responsible for editing their respective commentaries.[218] In 1984, the two Editors were joined by a Case Note Editor and a Legislation Note Editor. And, in 1985, the Case Note Editor and Legislation Note Editor were joined by a Book Review Editor. This arrangement of three editors for commentaries continued — with the exception of 1992, which had only two — for just over a decade, until 1995. From 1996 until 2004, the three roles were combined into one or two general Commentaries Editors. The position has existed on-and-off since then. The absence of a Commentaries Editor in the years 2015–2017 works out to be the longest time the Review has gone without editors for commentaries since 1984. It remains to be seen if the position will be resurrected.

The second development was the establishment of the new Sub-editor and Senior Editor positions. The *Sub-editor* position was established in 1984, when four Sub-editors were appointed. The number of Sub-editors has fluctuated each year, but trended upwards to a peak in 1997, which had 13 Sub-editors. Over the next few years, the number settled to around 10 Sub-editors per issue. This was followed by a marked drop in 2004 to seven Sub-editors, a number which was maintained for a few years. This was then followed by a slight increase to around nine Sub-editors, at which the number remained until the end of 2016.

The *Senior Editor* position was established in 1996. Unlike the Sub-editors, the number of Senior Editors remained relatively stable at around four to five Senior Editors from 1996–2004. The number increased to a steady seven to eight Senior Editors from 2005 to 2009. It then increased again to between 10 and 11 from 2010 to 2016.[219]

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218 For clarity, the commentaries featured in the Review are case notes, legislation notes and book reviews. See Part III: *Commentary and Analysis*.

219 In 2016, 10 Sub-editors were appointed. The 2016 issue credits only nine Sub-editors because one had to drop out for health reasons midway through the year.

With the establishment of the Ko Ngā Take Ture Māori section in 1996, the Review appointed one or two Ko Ngā Take Ture Māori Editors from 1996 to 2004. Interestingly, in two of those years the Ko Ngā Take Ture Māori section included separate Editors' Notes written by the Ko Ngā Take Ture Māori Editors.[220]

Other innovations were trialled periodically. From 1992 to 1995, the editorial team included one or two Publishing Editors or Publication Sub-editors. In addition, from 1996 to 2002 and 2004 to 2005 the Review appointed one or two Technical Editors. Unfortunately, we have not been able to gauge exactly what these editors' roles were. In addition, the Review in two years (2000 and 2002) appointed an Update Writer. The Update Writers wrote short updates to two pieces that were previously published in the Review.

As already noted, in 1993 and 1994 the Review published separate symposia.[221] The 1993 symposium credits the Editors-in-Chief for the main issue, as well as two others, as editors for the symposium. The Editors do not seem to be involved in the 1994 symposium, which credits just one Symposium Editor — Simon Mount QC — for the symposium publication.

With the expanding team, the position of Editor / Editor-in-Chief has also changed. The nomenclature for the editor at the top of the hierarchy became *Editor-in-Chief* in 1995. Until then, the *Editor* was the rough equivalent. Regardless of their title, these editors share numerous taxing responsibilities. Many such responsibilities are common to the Editors and Editors-in-Chief, whether they served in the late-1960s or the late-2010s.[222] However, other responsibilities would differ. With larger teams and more diversity in the Review enterprise — including more events — the role of the present-day Editor-in-Chief has become less about editing and more about training, coordinating and supporting staff.

In the years leading to 2017, the responsibilities of Senior Editors and Sub-editors had crystallised. After articles were shortlisted and editors trained, the Editors-in-Chief would set an editing schedule and pair each Senior Editor with a Sub-editor. The Senior Editors would each format an article according to the House Style. And then they would work with their Sub-editor to edit that article. Generally, they would be given a month to complete the edit. In practice this meant that, within that month, the Senior Editor would take the article for some time to edit the style of the article, and the Sub-editor would take the article for some time to find copies of the sources cited in the article and correct any errors in the citations.

Beginning in 2012, each article went to "two pairs of editors in an attempt to improve the final product".[223] In other words, a Senior Editor and

220 Katharine Taurau "Editor's Note" (1997) 8(2) Auckland U L Rev 563; and Metiria Turei "Editor's note" (1998) 8(3) Auckland U L Rev 884.

221 See Part III: *Symposia*.

222 The editors at the top of the hierarchy would typically expect to, for instance, call for and shortlist submissions; appoint and train editors; coordinate the Business Managers and Advertising Managers; troubleshoot editing, business and advertising issues; edit the final versions of the articles and commentaries; and organise printing and publication.

223 Choi and Ruddell, above n 23.

a Sub-editor worked in pairs to edit two articles in two month-long blocks. For example, each pair of editors would complete the first edit for an article; the Editors-in-Chief would organise for pairs to swap articles; and the pair of editors would then complete the second edit for a different article. In 2015 and 2016, each article went through three rounds of editing (by three pairs).

In 2017, the editorial structure was overhauled. The role of the Editors-in-Chief has remained about the same. However, the types of editorial roles and the division of functions between Senior Editors and Sub-editors has changed. Senior Editors were divided into two groups: Senior Style Editors; and Senior Editors R&C (responsible for research and citations). Sub-editors were also divided into two groups: Source Finders; and Citation Checkers. First, the articles went to the Source Finders, who found and uploaded to a Dropbox account all of the sources cited in the articles. Secondly, the articles went to the Citation Checkers, who checked each citation and pinpoint against the sources on Dropbox and corrected any errors. Thirdly, the articles went to a specialist House Style Editor, who formatted the articles according to the House Style. Fourthly, the articles went to the Senior Style Editors, who edited the writing style and refined the authors' arguments. Finally, the articles were checked by the Senior Editors R&C, before returning to the Editors-in-Chief for the final edits. Crucially, the Senior Editors R&C were paired with particular articles, Source Finders, Citation Checkers and Senior Style Editors, so that they could troubleshoot problems and be the conduit between the different groups of editors — and between the editors and the Editors-in-Chief.[224]

Over 50 years the editorial team has grown drastically. The number of editors fluctuated within a small range until the mid-1980s. However, it has since increased almost year-on-year. Indeed, the editorial team working on the 50th Anniversary issue is the largest editorial team yet — a plenteous 27 editors.[225]

In recent years, the Review has been in a strong position. Despite the growing editorial team in recent years, the number of applications received far outweighs the number of positions available.[226] This means that the Editors-in-Chief are able to be selective, and the general increase in the quality of the editors tends to result in a general increase in the quality of the overall publication.

Managerial Positions

In every issue so far, the Review has had at least one Business Manager or Advertising Manager — and usually one of each. As with the editorial positions, these are student positions. As the Review has developed and

224 The new approach has numerous advantages, which we do not have space to explain here. While we have identified issues with the approach, we are confident that these are minor issues that the Editors-in-Chief in 2018 will easily be able to address.

225 (2017) 23 Auckland U L Rev [this volume].

226 We can attest to this from our own experience as Editors-in-Chief. But see also, for example, Choi and Ruddell, above n 23.

diversified, so too have the roles of the Business Managers and Advertising Managers.

Originally, the Review in each year had a Business Manager, but no Advertising Manager. The separate Advertising Manager position was established in 1970. Generally, the Review has continued to have both a Business Manager and an Advertising Manager. There were exceptions in some years, such as 1972 and 1979, when the separate positions were bundled into one combined Advertising and Business Manager position. Furthermore, in some years, such as 1982 and 1983, there was an Advertising Manager, but no Business Manager. And, in 1984, there was a Business Manager, but no Advertising Manager. In 1996, there was one of each — a Business Manager and an Advertising Manager — *as well as* an Assistant Business Manager. And, bizarrely, no business nor Advertising Manager is credited on the 1980 volume — yet there were advertisements![227] Almost as bizarrely, the nomenclature changed for one year, in 1986, which does not credit an Advertising Manager, but an Advertising Coordinator.[228]

In 2007 and 2010, the Review had a combined Business and Marketing Manager. In 2011, 2012 and 2013, the Marketing Manager was separate to the Business Manager. And, in 2014, the nomenclature reverted from Marketing Manager to Advertising Manager. Since that reversion — in the years 2014–2017 — the arrangement has been consistent. In these years, the Business Manager and Advertising Manager roles have co-existed. That is to say, they have been separate, but worked together closely. Generally, there will be two Business Managers to one Advertising Manager. However, in some years — for instance, for the 50th Anniversary year, with its Anniversary celebrations — a larger team has been justified. Indeed, this year we expanded to three Business Managers and one Advertising Manager. We expect this number to reduce again in 2018 and for a while after.

VI ALUMNI

The AULR boasts numerous notable alumni. Our alumni network includes leading figures across the judicial, political, academic and professional spheres. Perhaps the most well-known names are from the first decade or so, although — with the greatest of respect — they have had more time to make a name for themselves![229] In this part, we will highlight some of the Review's seemingly innumerable illustrious alumni. It is a compliment to the Review that a full summary of alumni achievements is beyond the limitations of this *brief* history.

227 We can imagine the Editors — the equivalent at the time of the present-day Editors-in-Chief — would have taken on those roles.

228 There is no indication that the substance of the role changed.

229 For a list of Editors-in-Chief from 1967–2008, see Coote, above n 4, at 196. A full alumni list is available on the Review's website. "Alumni List", above n 178.

We have already mentioned founding Editors **Alan Galbraith QC** and retired Justice of the High Court of New Zealand the **Hon John Priestley QC**. Contributors that year included now-retired President of the Court of Appeal — then Justice of the Supreme Court of New Zealand — **Sir Noel Crossley Anderson QC,** and distinguished barrister and Honorary Professor of Law at the University of Auckland **Sir David AR Williams QC**. Another contributor was **Sir Grant Robert Hammond KNZM**, former Judge of the New Zealand Court of Appeal, President of the New Zealand Law Commission and Chair of the Legislation Advisory Committee to Parliament.

Sir Grant went on to become an Editor the following year, alongside **Gary Judd QC**. The Business Manager was future Ombudsman, Judge of the District Court of New Zealand and Governor-General of New Zealand the **Rt Hon Sir Anand Satyanand GNZM, QSO**. Former Supreme Court Justice, the **Rt Hon Sir Peter Blanchard KNZM,** contributed an article. Interestingly, Sir Peter's former clerk and now University of Auckland academic **Katherine Sanders** is also a part of the Review's alumni network, having contributed the 2005 Ko Ngā Take Ture Māori article. The 1968 issue also featured articles by former Court of Appeal **Justice Anthony Randerson QC**, former Auckland District Law Society President **Brian Keene QC**, University of Auckland Emeritus **Professor PJ Evans** (Contributor, 1968) and one of the long-time leading authors on land law in New Zealand, former Associate Professor at the University of Auckland, Dr **Don McMorland**. It is interesting to note that, even as undergraduates, both Sir Peter and Dr McMorland appeared to have already discovered their niches in land law.

The 1969 issue features a number of notable alumni across a range of practice areas, including former Member of Parliament the **Hon Dr Richard Worth, OBE** as an Editor, and High Court **Associate Judge David Abbott** as Business Manager. Contributors also included Court of Appeal **Justice Lynton Stevens QC**, High Court **Justice Peter Woodhouse QC** and Oxford University Emeritus Professor **David Vaver.**

The 1970s continued to feature talented students-turned-legal and political leaders. The current Chief Justice, the **Rt Hon Dame Sian Elias QC** was an Editor in 1970. Other Editors that year included **Justice Raynor Asher QC** of the Court of Appeal and **Associate Professor Ian Macduff,** who has recently re-joined the law school. If this line-up was not already impressive enough, former Attorney-General, Minister of Defence and High Commissioner to the United Kingdom the **Rt Hon Paul East CNZM, QC** joined the team as Advertising Manager.

From this outstanding start to the decade, the 1970s continued to produce legions of legal talent. These would include several members of the judiciary, such as former Supreme Court Judge **Sir Robert Chambers QC** (Contributor, 1974) and Court of Appeal **Justice Mark Cooper QC** (Case

Note Writer, 1978), along with former Law Commissioner and current President of the New Zealand Research Foundation **Justice Paul Heath QC** of the High Court (Contributor, 1978). Principal Environment **Judge Laurie Newhook** (Contributor, 1971) and **Associate Judge Hannah Sargisson** of the High Court (Contributor, 1976) also grace the alumni list for the 1970s. Multiple Queen's Counsels also emerged, including **Noel Ingram QC** (Contributor, 1971) **John Katz QC** (Advertising Manager, 1971–1972; Contributor, 1973), **Stephen Mills QC** (Contributor, 1971) and **Andrew Brown QC** (Contributor, 1972). In addition, many alumni have gone on to become partners at leading law firms, both domestically and internationally, including **Richard McGrane** (Contributor, 1975) and **Peter Hinton** (Business Manager, 1976). The decade also featured former Member of Parliament **Hon Dr Wayne Mapp, QSO** (Contributor, 1975), as well as former Health and Disability Commissioner and current University of Auckland **Professor Ron Paterson** (Contributor, 1977). The decade produced a number of renowned academics, including leading administrative lawyer and highly esteemed University of Auckland colleague, **Professor Michael Taggart** (Contributor, 1977) and former Speaker of the House, Attorney-General and founding Dean of Waikato Law School the **Hon Margaret Wilson** (Contributor, 1970).

At this point, it should come as no surprise that the 1980s also boast a long list of esteemed alumni. The year 1980 featured contributions from two future members of the judiciary. **Justice Matthew Muir QC** of the High Court would go onto become an instrumental figure in the passage of the Homosexual Reform Bill in 1986. Current Children's Commissioner and former Principal Youth Court **Judge Andrew Becroft** also contributed a piece in the area of New Zealand Human Rights. Other members of the judiciary from that decade include Court of Appeal **Justice Helen Winkelmann** (Editor-in-Chief, 1984), current Principal Family Court **Judge Laurence Ryan** (Contributor, 1984) and District Court **Judge Grant Powell** (Sub-editor, 1985; Contributor, 1986). Several 1980s alumni have gone on to become Queen's Counsels, including **Matthew Dunning QC** (Contributor, 1982), **Kate Davenport QC** (Book Review, 1984) and **Adam Ross QC** (Sub-editor, 1987; Case Note Editor, 1988; Contributor 1989). And the decade also produced a number of esteemed academics, including former Dean of Auckland Law School, **Professor Paul Rishworth** (Contributor, 1986), **Associate Professor David Grinlinton** (Contributor 1983–1984), current Faculty Adviser **Professor Michael Littlewood** (Book Reviewer, 1984; Contributor, 1985), **Professor Julia Tolmie** (Case Note Writer, 1986) and National University of Singapore **Professor Andrew Simester** (Business Manager, 1988; Book Reviewer 1989). The decade has also given rise to domestic and international commercial law partners, including **Grant Majoribanks** (Sub-editor, 1987; Editor, 1988; Contributor, 1990), **Dave Wetherell** (Business Manager, 1986), **Joe Windmeyer** (Contributor, 1985)

and **Bruce McClintock** (Sub-editor, 1988; Editor, 1989; Contributor 1990). Other notable alumni include Chairman and Co-founder of the New Zealand Initiative, and former Bell Gully Executive Chairman, **Roger Partridge** (Editor-in-Chief, 1983), former Chief Executive Partner of Chapman Tripp **Andrew Poole** (Sub-editor, 1987; Legislation Note Writer, 1988), Commerce Commissioner **Elisabeth Welson** (Contributor, 1980) and former Member of Parliament the **Hon John Tamihere** (Contributor, 1985).

The 1990s featured District Court **Judge Mina Wharepouri** (Contributor, 1994) who would go on to become the first Tongan-born Judge in New Zealand. Within the commercial sphere, the decade boasts leaders, such as Virgin Group CEO **Joshua Bayliss** (Case Note Writer 1995), Managing Director and CEO of the Commonwealth Bank of Australia **Ian Narev** (Contributor, 1991) (Sub-editor, 1995), Managing Director and Global Head of Claims of Swiss Re Corporate Solutions Ltd **Nicola Parton** (Sub-editor, 1994; Editor-in-Chief, 1995) and LandCorp CEO and First Foundation Founder **Steven Carden.** Queen's Counsel alumni from this decade include **Neil Campbell QC** (Case Note Writer, 1990; Contributor 1991), **John Dixon QC** (Business Manager, 1991) and **Campbell Walker QC** (Advertising Manager, 1991; Contributor 1994). Further demonstrating the Review's exceptional alumni network, the 1993 issue alone featured contributions by **Simon Mount QC** (Legislation Note Writer, 1993), **Andrew Barker QC** (Case Note Editor, 1993) and **Marc Corlett QC** (Case Note Writer, 1993). The long list of leading commercial partners featured in the 1990s includes Kensington Swan CEO **Charles Spillane** (Legislation Note Writer, 1995), LeeSalmonLong Co-founder **Julian Long** (Sub-editor, 1990), **Roger Wallis** (Publishing Editor, 1992), **Simon Ladd** (Sub-editor, 1993; Legislation Note Editor, 1994) and **Janette Campbell** (Sub-editor, 1993; Editor-in-Chief 1994). Notable players in the international commercial sphere include Goldman Sachs London Managing Director **Yasmine Bassili** (Senior Editor, 1996), Linklaters Managing Partner for the United Arab Emirates **Scott Campbell**, international arbitrator **James Hosking** (Sub-editor, 1994) and DLA Piper partner **Philip Crump** (Sub-editor, 1995; Editor-in-Chief, 1996). Esteemed academics from this decade include Ngāti Whātua's very own **Associate Professor Amokura Kawharu** (Ko Ngā Take Ture Maori Editor, 1996), international law expert and University of Cambridge-affiliated lecturer **Penelope Nevill** (Sub-editor, 1995), University of Sydney **Professor Matthew Conaglen** and Auckland University of Technology **Associate Professor Denise Wilson** (Contributor, 1993). Other notable alumni from the 1990s include Former Green Party Co-leader **Meteria Turei** (Ko Ngā Take Ture Māori Editor, 1998), President of the Auckland District Law Society **Joanna Pidgeon** (Case Note Writer, 1991), Commerce Commissioner **Anna Rawlings** (Legislation Note Writer, 1996), Māori Television Associate Producer **Kelvin McDonald** and high-profile criminal litigator **Jonathan Temm** (Case Note Writer, 1991).

The 2000s continued to produce distinguished alumni. Notable international players include Deputy Director of Federal Tax Policy for the United States Center on Budget and Policy Priorities **Chye-Ching Huang** (Senior Editor 2004; Legislation Note Writer, 2005) and Weil, Gotshal & Manges Associate **Aditya Basrur**. Numerous alumni from this decade are now partners at top New Zealand firms, including **Matthew Ockleston** (Contributor, 2000), **Joshua Pringle** (Sub-editor, 2001), **David Raudkivi** (Case Note Writer, 2002), **Kelly McFadzien** (Sub-editor, 2003)**, Cameron Peachey** (Sub-editor, 2005) and **Marika Eastwick-Field** (Senior Editor, 2006; Contributor, 2007). Several alumni have also gone on to work as academics, including University of Oxford **Associate Professor Richard Ekins** (Contributor, 2001) and University of Otago Senior Lecturer **Dr Bridgette Toy-Cronin**, along with University of Auckland Senior Lecturer and current Faculty Adviser **John Ip** (Case Note Writer, 2001–2002), Senior Lecturer **Nina Khouri** (Contributor, 2002), Senior Lecturer **Katherine Sanders** (Contributor, 2005), as already mentioned, and Lecturer **Dr Jane Norton** (Sub-editor, 2000; Contributor, 2001; Legislation Note Writer, 2002; Case Note Writer, 2004).

The 2010s are continuing to produce promising alumni set on making their mark in the legal, academic, corporate and political worlds. Numerous recent Editors-in-Chief and contributors have gone on to higher education at the most prestigious law schools — some as Rhodes scholars to Oxford. Every year, graduates from the Review can be found taking on judges' clerkships, roles at leading corporate firms, and carving their paths within in the public sector. The Review, by its nature and purpose, attracts — and, when necessary, actively hunts down — students who are driven to succeed and make an impact. We have no doubt that the Review will continue to produce an extremely high calibre of alumni who will go on to make their own mark in both legal and non-legal spheres.

VII SCHOLARSHIP

The AULR has been cited by the judiciary on numerous occasions. The New Zealand Supreme Court has done so on at least three occasions, twice in the past three years. In 2006, McGrath J cited David Vaver[230] in *Complaints Assessment Committee v Medical Practitioners Disciplinary Tribunal* for the proposition that long-standing ethical obligations regarding confidentiality in patient relationships are the foundation for medical privilege.[231] In 2014, William Young J cited Gerald Lanning[232] in *Paki v Attorney-General (No 2)* to support the proposition that there is a fiduciary relationship between

230 David Vaver "Medical Privilege in New Zealand" (1969) 1(2) Auckland U L Rev 63.

231 *Complaints Assessment Committee v Medical Practitioners Disciplinary Tribunal* [2006] NZSC 48, [2006] 3 NZLR 577 at [97], n 78.

232 Gerald Lanning "The Crown-Maori Relationship: The Spectre of a Fiduciary Relationship" (1997) 8(2) Auckland U L Rev 445.

Crown and Māori.[233] And, in 2015, Glazebrook J cited Jeff Simpson[234] in *Quake Outcasts v Minister for Canterbury Earthquake Recovery* regarding the existence and scope of third source authority.[235]

The New Zealand Court of Appeal has also cited articles in the Review. In 2009, Baragwanath J cited Antony Holmes[236] in *Saunders v Houghton* and described his article as "[a] thoughtful essay" on leading authorities regarding the exclusion of fiduciary principles in commercial relationships.[237] In 2010, Hammond J quoted Ronald Pol[238] in *Bartle v GE Custodians* regarding the re-opening discretion in contracts.[239] And, in 2013, O'Regan P cited Jeff Simpson[240] in *Minister for Canterbury Earthquake Recovery v Fowler Developments Ltd* as an example of discussion on possible government actions under residual freedom.[241]

Moreover, the New Zealand High Court has cited articles in the Review. An example is the 2011 case *Corbett v Western* where then Justice John Priestley cited William Fotherby[242] for further discussion on the fundamental right of bringing or defending a claim in person in any court.[243]

Interestingly, the Editors-in-Chief in 2005 noted that, according to their online research, the commentaries were cited more often than articles in court judgments.[244] This finding is not supported by the examples we have included here, which are predominantly articles. However, it could very well be true. (We have had to be selective, but there are plenty of other citations out there.)

The Review is also frequently cited by authors in other academic journals. These have included, for example, articles on international law,[245] intellectual property law,[246] criminal law,[247]

233 *Paki v Attorney-General (No 2)* [2014] NZSC 118, [2015] 1 NZLR 67 at [257], n 414.
234 Jeff Simpson "The Third Source of Authority for Government Action Misconceived" (2012) 18 Auckland U L Rev 86.
235 *Quake Outcasts v Minister for Canterbury Earthquake Recovery* [2015] NZSC 27, [2016] 1 NZLR 1 at [90], n 139.
236 Antony Holmes "De Facto Commercial Relationships: Still Dancing at Arm's Length?" (2009) 15 Auckland U L Rev 80.
237 *Saunders v Houghton* [2009] NZCA 610, [2010] 3 NZLR 331 at [99].
238 Ronald Pol "Credit Contracts: The Factors Going to Oppression" (1989) 6(2) Auckland U L Rev 139.
239 *Bartle v GE Custodians* [2010] NZCA 174, [2010] 3 NZLR 601 at [46], n 7.
240 Simpson, above n 234.
241 *Minister for Canterbury Earthquake Recovery v Fowler Developments Ltd* [2013] NZCA 588, [2014] 2 NZLR 587 at [77], n 36.
242 William Fotherby "Law that is *Pro Se* (Not Poetry): Towards a System of Civil Justice that Works for Litigants Without Lawyers" (2010) 16 Auckland U L Rev 54.
243 *Corbett v Western* [2011] 3 NZLR 41 (HC) at [96], n 16.
244 Basrur and Tan, above n 94.
245 See, for example, FM Auburn "The Ross Dependency — An Undeclared Condominium" (1970) 1(3) Auckland U L Rev 89 as cited in "Thaw in International Law? Rights in Antarctica under the Law of Common Spaces" (1978) 87 Yale LJ 804 at 809, n 14.
246 See, for example, Michael Crew "Undesirable in Theory, Absurd in Practice — the Protection of Industrial Designs in England and New Zealand" (1975) 2(4) Auckland U L Rev 1 as cited in Robert C Denicola "Applied Art and Industrial Design: A Suggested Approach to Copyright in Useful Articles" (1983) 67 Minn L Rev 707 at 727, n 91.
247 See, for example, Stuart Bugg "Intoxication and Liability: A Criminal Law Cocktail" (1985) 5(2) Auckland U L Rev 144 as cited in Samuel H Pillsbury "Crimes of Indifference" (1996) 49 Rutgers L Rev 105 at 185, n 231.

environmental law,[248] confidentiality,[249] and competition law,[250] as well as articles on jurisprudential issues,[251] to name but a few.

As we have discussed, one of the Review's enduring purposes is to produce cutting edge scholarship. A classic example is the article by Grant Hammond — now the Hon Sir Grant Hammond — in the inaugural issue.[252] In his article, Sir Grant outlined the arguments surrounding the relevancy of a tortious remedy for privacy in the context of press activities. He then "strongly urge[d] that the Courts of the British Commonwealth are completely free to develop a tortious remedy of privacy in respect of press activities".[253] To emphasise how prescient this article was, it was published nearly 40 years before the landmark case on privacy law in New Zealand, *Hosking v Runting*.[254]

Articles such as Sir Grant's set the tone for the Review, which has continued to publish the very best legal writing by University of Auckland students on issues deemed contemporary and significant. At times — with retrospect — these at-the-time *cutting edge* articles can demonstrate just how far the law — and society, more generally — have come.

The 1970 edition, for example, included an article entitled "The Law and Computers".[255] In that article, Bruce Brosnahan not only translated the first line of Elizabeth Barrett Browning's sonnet *How Do I Love Thee?* into binary code,[256] but also contended that it would be imperative for lawyers to use computers to cope with the massively increasing wealth of legal sources available. Brosnahan commented:[257]

> Consider the situation New Zealand lawyers will be faced with in 2000 A.D. As well as having to try and find his way through the hundreds of volumes of law reports and statutes already existing, a lawyer graduating now will also by then have to cope with … 120 volumes of Statutes … 30 volumes of New Zealand Law Reports … 30 volumes of the Law Reports, Appeal Cases …

248 See, for example, HA Versteeg "The International and National Response to the Problems of Marine Pollution" (1978) 3(3) Auckland U L Rev 209 as cited in Paul Stephen Dempsey "Compliance and Enforcement in International Law — Oil Pollution of the Marine Environment by Ocean Vessels" (1984) 6 Northwest Journal of International Law & Business 459 at 486, n 95.

249 See, for example, M Dunning "Some Aspects of Theft of Computer Software" (1982) 4(3) Auckland U L Rev 273 as cited in Eli Lederman "Criminal Liability for Breach of Confidential Commercial Information" (1989) 38 Emory LJ 921 at 1000, n 281.

250 See, for example, Gary A Hughes "Redirecting CER and the Harmonisation of Competition Law" (1995) 7(4) Auckland U L Rev 1039 as cited in Mark RA Palim "The worldwide growth of competition law: an empirical analysis" (1998) 43 Antitrust Bull 105 at 135, n 87.

251 See, for example, Bridget Murphy "*Luke v Lyde*: Lord Mansfield and the Development of the Principles of Mercantile Law" (2003) 9(4) Auckland U L Rev 1140 as cited in M Todd Henderson "From Seriatim to Consensus and Back Again: A Theory of Dissent" [2007] Sup Ct Rev 283 at 295, n 44.

252 RG Hammond "Privacy and the Press" [1967] Auckland U L Rev 20.

253 At 30.

254 *Hosking v Runting* [2005] 1 NZLR 1 (CA).

255 BC Brosnahan "The Law and Computers" (1970) 1(3) Auckland U L Rev 1.

256 "How do I love thee? Let me count the ways." See Thomas Henry Crowley *Understanding Computers* (McGraw-Hill, New York, 1967) at 25–26 as cited in Brosnahan, above n 255, at 10.

257 At 4.

While this article — and other such articles[258] — are now considered to be mere curiosities, they demonstrate the Review's important role as a forum for *contemporary* issues. It will be interesting to see which articles published in the current era are regarded as uncontroversial or redundant in the future. It will be even more interesting to see which articles played a part in shaping the law, such as those cited by the superior courts, and which prophetic articles the law will one day shape itself in the image of, such as those by Sir Grant and Bruce Brosnahan.

VIII CONCLUSION

This special feature has provided a necessarily brief history of the Review. We have identified recurring themes. We have uncovered buried anecdotes and other treasures. And we have, hopefully, sustained your interest for most of the piece.

The Review would not have survived 50 years unless it was doing *something* right. Having now probed the Review's institutions, its scholarship and its prestigious alumni network, it is clear to us that the Review — and the teams behind it — have been doing *a lot of things* right. Beginning as a project by two shoulder-tapped students, the Review has developed into an enviable enterprise that every alumni deserves to be proud of.

Perhaps the Review's most significant attribute is its magnetic pull. It is one thing to be able to list the judges, partners, politicians, academics and other distinguished alumni who, at one time or another, contributed to the Review. It is another thing entirely — and an extreme privilege — to be able to call upon and receive support from persons within that network, whether loyal subscribers, event attendees or distinguished guest speakers. As the two Editors-in-Chief in 2010 observed: "in most countries, students would not be able to e-mail judges in the highest courts and receive a friendly reply the next day".[259] We are very fortunate indeed.

We would like to thank the Faculty of Law for the opportunity to write this piece. The Review is an important institution at the Faculty that continues to punch above its weight in everything that it does. We are truly privileged to be a part of its ongoing legacy.

Finally, a message to our future Editors-in-Chief and their teams. Look to the past for guidance. It is often said that "history doesn't repeat

258 There are other articles dedicated to the notion that computers and other devices may potentially play a useful role in the management of legal information. See, for example, LJ Newhook "Computerising the New Zealand Land Registry Office" (1971) 1(4) Auckland U L Rev 1.

259 Harris and Ieong, above n 89.

itself, but it often rhymes".[260] We hope that this piece serves as a guide that you can rely on to explore the past. However, you will need to look beyond the past. Look to the future, but look also within yourselves. Be ambitious. Be courageous. And be tenacious. Every year in the next 50 years will pose its own challenges, foreseeable and unforeseeable. It is how you respond to those challenges that will shape the Review and determine your own legacy as an Editor-in-Chief.

We have complete confidence that you will do your forebears proud. We wish you all the very best.

260 The quote is often ascribed to Mark Twain. However, what Twain actually wrote is not quite as pithy: "It is not worthwhile to try to keep history from repeating itself, for man's character will always make the preventing of the repetitions impossible." Mark Twain "Purchasing Civic Virtue (January 15, 1907)" in Bernard DeVoto (ed) *Mark Twain In Eruption: Hitherto Unpublished Pages about Men and Manners* (Harper & Brothers, New York, 1940) 66 at 66.