

# Editorial

## Te Mata Koi

Koinei te wahanga o te toki hei tapahi i te rakau. Ma te mata koi e whakatinana ai nga korero me nga whakaaro a te tohunga. No reira, ma te mata koi ano e tarai te waka hei kawhe i nga wawata me nga tumanako o taaua nei te Maori.

It is the sharp edge of the adze which cuts and fashions the canoe. The sharp edge fashions a path for us to progress forth.

Legal education in New Zealand is at a crossroad. Our law faculties are being forced to question the purpose of legal education and their role in society as we approach the 21<sup>st</sup> century. Such introspection is driven not only by the inevitable march of time but also by the changing nature of government policy towards tertiary education. The New Zealand university student of today finds herself in a very different position from her counterpart of a decade ago. With the increased costs of tertiary education, students are reassessing what they wish to achieve. Many students now leave university with substantial debt and are faced with an increasingly demanding employment market. The implication is that students may feel forced to structure their degrees with an increased focus on marketable subjects to appeal to the commercial legal market. Increasingly disillusioned by this drive towards commercialism, some students are seeking alternatives to the glass tower environment of commercial law. While commercial law is undoubtedly important, it is also vital that law schools present their students with a range of options about future careers, both as practising lawyers and in other fields. Given the crucial role that the law plays in all areas of society, it is necessary that, while law schools produce able legal practitioners, they also promote thoughtful and considered comment on the development of the legal system.

In this respect, legal journals such as the Auckland University Law Review provide a crucial forum for discussing such issues. This last year has been a period of change for the Review. The most significant change has been the welcoming of a Maori title – Te Mata Koi. New Zealand society is comprised of many cultures, from the South Pacific and around the world. However, the relationship between the Crown and the tangata whenua remains the foundation of modern New Zealand. There is increasing recognition of the vital contribution that Maori must play in the development of our legal system if we are to create a just society. In 1996, the Ko Ngaa Take Ture Maori section was added to the Review, a forum for the discussion of legal issues of significance to Maori, and thus to the rest of New Zealand. The adoption of a Maori title for the Review is a natural extension of this development. This title, Te Mata Koi, is the product of much consultation and creative energy. Te Mata Koi, the sharp blade, represents much of the philosophy behind the Review. It is also a powerful

representation of the ongoing aims of the Review and of the standard for which we should continue to strive. As a student edited and student written publication, it provides a unique opportunity to explore cutting edge issues in the law, a freedom that many more traditional law journals do not have. The title is also symbolic of the importance of partnership, communication and co-operation. The law is often central to political change, and it is important that we, as students and practitioners of the law, recognise that the law must be inclusive and responsive to the many needs of the community, and particularly the often marginalised voice of indigenous peoples.

This year's edition presents a range of such cutting edge material across the spectrum of legal issues. All of these articles represent a distinctive and innovative approach to the law. Some present a new perspective on traditional areas of the law, addressing topics such as defamation, passing off and contract law. Others consider the changing and expanding role of the law in its approach to modern demands, notably the articles on juvenile homicide and employment law. Finally, important political developments are assessed, in the areas of breach of confidence, criminal law and Treaty settlement policy. Equally, the material in both the Ko Ngaa Take Ture and Commentaries sections addresses important areas of change and reform. All the contributions to this year's edition reflect the spirit represented by our new Maori title – Te Mata Koi.

May we extend our personal thanks to the members of the editorial team for their tireless work in producing this year's Review. We would also like to thank those members of the Faculty who have given their time to assist with queries and provide advice, all of which has been invaluable. We hope you enjoy this year's edition.

Victoria Pearson  
Caroline Young

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