

EDITORIAL

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Nearing the end of its 45th year of publication, the *University of New South Wales Law Journal* ('*Journal*') continues to champion its foundational spirit of contributing remarkably original, high-quality and thought-provoking scholarship to contemporary legal discourse, elements which have only been strengthened under relatively recent changes to its publication structure.¹

The 47 articles published in Volume 42 throughout this year have grappled with uncharted legal challenges posed by new technologies such as Instagram² and drones,³ to interrogating the longstanding civil standard of proof.⁴ The 11 articles within this Issue unsurprisingly continue this outstanding diversity characteristic of the *Journal*.

Rebecca Nelson's 'Breaking Backs and Boiling Frogs: Warnings from a Federal Dialogue between Water Law and Environmental Law', and Hadeel Al-Alosi and Mark Hamilton's 'The Ingredients of Success for Effective Restorative Justice Conferencing in an Environmental Offending Context' have been selected as the lead articles of the Issue to inform the topic of the launch event, 'Reconceptualising Environmental Harm'.

Nelson critically analyses how the two main federal environmental management regimes tend to assess environmental developments in isolation, thus failing to adequately account for harms caused by cumulative environmental effects. Al-Alosi and Hamilton make the case for restorative justice conferencing, an alternative approach to criminal justice involving greater communication between stakeholders, as a way to improve the enforcement of environmental crimes.

These cross-disciplinary perspectives raise similar questions of how we fundamentally characterise environmental harm, and further, what are the most effective methods of mitigation. Both articles look beyond the frame of climate

* Editor, Issue 42(4), 2019.

1 See Rose Vassel, 'Editorial' (2018) 41(1) *University of New South Wales Law Journal* 1, for further explanation of these changes; Eloise Kneebone, 'Editorial' (2019) 42(1) *University of New South Wales Law Journal* 1, for a comprehensive reflection on the state of these changes one year on.

2 Alice Witt, Nicolas Suzor and Anna Huggins, 'The Rule of Law on Instagram: An Evaluation of the Moderation of Images Depicting Women's Bodies' (2019) 42(2) *University of New South Wales Law Journal* 557.

3 Des Butler, 'Drones and an Invasion of Privacy: An International Comparison of Legal Responses' (2019) 42(3) *University of New South Wales Law Journal* 1039.

4 Harry Stratton, 'Perfectly Safe, Five Times Out of Six: The Briginshaw Principle and Its Paradoxes' (2019) 42(2) *University of New South Wales Law Journal* 376.

change, which has typically dominated recent discussion of environmental harm.⁵ I am very grateful to the Hon Justice Rachel Pepper for delivering the keynote address at the launch of this Issue on 19 November 2019, and for sharing her insights on this topic.

The nine further articles in this Issue provide equally topical and novel contributions to their respective fields. These articles cover topics including the limitations of consumer credit law for female victims of economic abuse; copyright law's underuse hypothesis; redress for institutional child abuse; Indigenous students in legal education; the royal prerogative of mercy in New South Wales; decision-making capacity of mature minors; children's capacity to testify in court; therapeutic jurisprudence in parole law; and the 2018 instalment of the annual High Court Statistics.

Various other threads of unity emerge from these generalist articles such as a focus on the legal rights of children; challenging of inconsistencies in select legal authorities; and thorough statistical analyses and empirical research in more than half the articles.

It truly takes a community of unbelievably dedicated people to bring an Issue to life. Foremost, my thanks must extend to the authors of the articles. Thank you for letting our editorial team co-parent your articles for the past many months and for your continued patience throughout the process. Many of you deserve honorary editorial board memberships for your relentlessly keen eye. It has been a pleasure to work with you.

I also thank the anonymous peer reviewers, the unsung heroes of this process. Their eager willingness to volunteer precious time and provide detailed referee reports speaks to the ongoing generosity of the legal academy. This greatly assists the Executive Committee in coming to its decisions, and also provides expert commentary on which authors rely to revise their articles.

Without the ongoing support of our Premier sponsors, we would not have the capacity to sustain the *Journal* in its current form. In particular I would like to thank King & Wood Mallesons for hosting the launch event for Issue 42(4). The *Journal* is very fortunate to also have a strong relation with our other Premier Sponsors Allens and Herbert Smith Freehills.

I thank our faculty advisors Professors Rosalind Dixon and Gary Edmond. With their unquestioned trust in our capacity as a student-run endeavour and unwavering investment in this publication, I am particularly grateful for their patience in guiding the Executive Committee through the bumps in the road and in shaping and finessing our partly formed ideas. I extend my gratitude to our Dean, Professor George Williams AO, and the UNSW Law Faculty and for their much appreciated continued support.

The remarkable editorial quality of the *Journal* is a testament to the extreme skill, (healthy) obsession and commitment of our student Editorial Board. It has been really wonderful getting to better know you all, particularly the newer

5 See, eg, *Forum* on 'Climate Change Law in Australia': (2008) 31(3) *University of New South Wales Law Journal* 831. See also thematic Issue on 'Rethinking Climate Change and the Law': (2016) 39(4) *University of New South Wales Law Journal*.

members, during the past half year. As I finish up with the *Journal* after three years, I am very happy to know I will be leaving its future in very safe and capable hands.

Perhaps my most heartfelt thanks goes to both the current and former members of the Executive Committee. I thank them for their boundless encouragement, and for offering a helping hand and measured advice at crucial times throughout this process. The past 15 months have been made endlessly enjoyable as we've shared much good humour. It has been my privilege to work alongside you, learn from you, and it is an honour to call you all my friends. Special thanks go to Executive Editor Anne Yang for her stalwart leadership and assistance, particularly in the lead up to the launch.

And finally, deep gratitude goes to my family and friends for their selfless understanding, support and patience throughout my time as Issue Editor. Thank you for sitting through countless *Journal*-related conversations, and thank you for the reminders to keep it all in perspective.