



By Ben Cochrane

I am honoured to have been offered the position of managing editor of *Precedent*. I hope that I can continue the journal's outstanding contribution to furthering the Alliance's commitment to social justice.

In keeping with our mission to defend individual rights against the big end of town, this issue takes a closer look at corporate governance and corporate social responsibility.

Three articles – on shareholder actions, climate change and human rights violations – provide a practitioner's guide to developing areas of corporate liability. They review current law as relevant to plaintiff practitioners, explore new developments and suggest future trends, the article on human rights suggesting an approach that is currently being tested before the NSW Supreme Court.

Balancing these practice-based pieces are two articles with a more academic focus. An Australian academic and a New Zealand corporate regulator offer views on the current direction of corporate governance and corporate social responsibility and the so-called 'triple bottom line'. These articles cut through the hype surrounding HIH, Enron and other high-profile corporate collapses, tracing the political

responses and setting out the actual regulatory change that has resulted, both in Australia and overseas.

Also in this edition are two important actuarial analyses of recent insurance industry performance. The Law Council this year commissioned a review of insurance profitability from prominent actuary Richard Cumpston. His paper, which found that profits were high enough to sustain a lowering in premiums or an increase in compensation awards, featured strongly in the Law Council's Personal Injury and Compensation Forum in early June, and garnered national media coverage. In response, the Insurance Council of Australia commissioned Estelle Pearson of Finity Consulting to analyse the same data. She arrived at a different conclusion.

From the recent inaugural ACT conference we include a paper from his Honour Justice Connolly, questioning assumptions underlying tort law reform. He joins the growing list of senior Australian judges who have challenged the reforms.

We welcome the first contribution from Rob Laird, our new technology reviewer, and thank Rob Davis for his valuable contributions over the past year. We congratulate him and wish him well in his new role as President of the Queensland Law Society. ■

Ben Cochrane was formerly the Alliance's Legal and Policy Officer, and is now a criminal lawyer with the Aboriginal legal Service.

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