

# BOOK REVIEW: *NEW ZEALAND'S LEGAL SYSTEM*

*Peter Wright\**

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*Richard Scragg New Zealand's Legal System (Oxford University Press, Melbourne, 2005) (146 pages) NZ\$49.95*

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A student's first year at law school can be daunting. A wide range of new skills need to be acquired. *New Zealand's Legal System* is a new guide to the principles of the legal system, written specifically for law students, introducing the core concepts encountered in the first year of legal study. The book would be particularly useful to those students seeking a better understanding of key legal skills – especially students whose law courses cover the examples used in the guide. The book could be viewed as a study guide, suitable for those seeking something brief and more closely related to examinations than Morag McDowell and Duncan Webb's *The New Zealand Legal System*.<sup>28</sup>

The book follows a simple structure with introductory chapters on the concept of law, the common law, and statute law, followed by chapters on case analysis, statutory interpretation, and reasoning by analogy. The introductory chapter on the concept of law is noticeably brief, with a quick survey of core legal concepts, and provides a useful structure within which to introduce the context of the common law and statutes.

The second chapter, introducing the common law, is the most impressive, providing a readily understandable guide that covers the essentials of any first year law student's exam. It also covers some interesting discussion on topics such as the Supreme Court of New Zealand and its likely treatment of precedents. The principles introduced in this chapter are then used on an example in the next chapter with detailed case analysis questions and model answers on *Petterson v Royal Oak Hotel Ltd*.<sup>29</sup> While this would obviously be of greatest use to students at universities where this case is studied, it is also good preparation for examinations based upon an unprepared case. The model

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28 Morag McDowell and Duncan Webb *The New Zealand Legal System* (3 ed, LexisNexis Butterworths, Wellington, 2002).

29 *Petterson v Royal Oak Hotel Ltd* [1948] NZLR 136.

answers are well written and provide a good introduction to how an examiner thinks; the author being a "legal system" university course coordinator.

The chapter on statute law follows a similarly practical approach. The essentials are laid out, including a comparatively long introduction to the New Zealand Bill of Rights Act 1990 and its impact on statutory interpretation. Again there is a practical example with questions and well explained answers.

The book concludes with a chapter on the building of a corpus of law, with the "postal rule" of the law of contract used as an example, and a chapter on reasoning by analogy. These two chapters seemed somewhat disjointed from the rest of the book, and their usefulness would almost entirely depend on how applicable they were to the particular university course a student was enrolled in.

*New Zealand's Legal System* is recommended as a study guide for the many students who need assistance in coming to grips with the core concepts of their early legal studies. This book by no means comes close to the depth and detail of *The New Zealand Legal System*,<sup>30</sup> but certainly fulfils the role of an accessible study guide with sufficient detail for most students. At a recommended retail price of \$49.95 it also offers excellent value in terms of its length and depth compared to many of the other study guides available.

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30 McDowell and Webb, above n 1.