

PREFACE

Sir William Young

I am very honoured to have been asked to provide this Preface.

My friendship with Tony goes back to the University of Canterbury in the early 1970s when I was a law student and Tony a junior lecturer, a role he performed while also obtaining an LLM with first class honours. A few years later, I followed Tony to Cambridge and, in particular, to Gonville and Caius College. In all of this, and in many other respects as well, I have much to thank Tony for.

Since 1970, when he began his academic career as a lecturer at the University of Canterbury, Tony has taught criminal law to thousands of future practitioners (and judges too, for that matter), to their considerable advantage. He has been, as I can attest, a terrific teacher of law.

More significantly for present purposes, Tony also became a leading academic criminal lawyer in both New Zealand and the United Kingdom. During Tony's career, criminal law has achieved considerable salience as a topic worthy of academic study.¹ This change was in part due to efforts of Tony and others (many of whom have contributed to this festschrift) but has also been a component of a broader process, recently commented on by Lord Burrows in his 2021 Lionel Cohen Lecture,² in which academic lawyers have played an increasingly significant role in the development of the law. Lord Burrows provided a number of examples of how this role has played out. He emphasised the significance of what he called, with considerable approval, "practical legal scholarship". By this, he meant legal scholarship of a kind likely to be influential in the development of the law by appellate judges. Tony has been a master of this form of scholarship.

Tony has published extensively, not just on criminal law but also on contempt of court, human rights, public law, civil liberties and, in his work on *Learning the Law*,³ the discipline of law itself. His publications include a number of books along with numerous chapters, articles and case notes. In recognition of the quality of his published work, Tony was awarded a well-deserved LLD by the

1 My impression is that prior to the late 1960s, criminal law as an academic discipline was seen by many as largely practical, as something that might be taught to future practitioners rather than as warranting serious academic scrutiny and research. There were, of course, notable exceptions to this, such as Professor Glanville Williams with whom Tony became closely associated and Sir John Smith.

2 Lord Burrows "Judges and Academics, and the Endless Road to Unattainable Perfection" (Lionel Cohen Lecture 2021, Jerusalem, 25 October 2021).

3 ATH Smith (ed) *Glanville Williams: Learning the Law* (17th ed, Sweet & Maxwell, London, 2020).

University of Cambridge. As well as teaching and publishing, Tony has served in many senior University roles, as Head of the Department of Law at the University of Reading, Dean of the Faculty of Law at the University of Durham, Chairman of the Faculty Board of Law at the University of Cambridge and Pro Vice-Chancellor and Dean of the Faculty of Law at Victoria University of Wellington. These posts carried heavy administrative burdens and it is a great testament to Tony's energy and commitment to his craft that he was able both to discharge these burdens and, at the same time, to publish as extensively as he has.

Tony is one of many New Zealand lawyers who have been members of Caius College. He was particularly supportive of those who followed him at Caius (including me). More generally he has been an approachable, warm and companionable colleague and friend.

This festschrift is a fine testament to Tony's wonderful career, with its many notable achievements, and also to his personal characteristics, including his intellectual curiosity, kindness and generosity of spirit, which have characterised the ways he has engaged with students, colleagues, the profession and the judiciary.