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The Principles of Legality in Aotearoa New Zealand – *Jason NE Varuhas*

The principle of legality has emerged as a central feature of contemporary public law in Aotearoa New Zealand. After a slow start, a series of major Supreme Court decisions, as well as a significant case law generated by the COVID-19 pandemic, have ensured the principle’s meteoric rise. The article unpacks key elements of this dynamic jurisprudence. First, it analyses the “triggers” for the legality principle, that is the norms that enliven the principle. These have expanded significantly over time. The article examines four types of trigger: common law norms, principles of the Treaty of Waitangi, international law and statutory human rights. Second, the article examines the legality principle itself. While the principle of legality is often treated as a unitary principle, close analysis of the case law demonstrates there are multiple variants of the principle, which are meaningfully different. In turn, much of the explanation for these variations lies in the plural nature of trigger norms. 296

No Narrow or Pedantic Approach: The NDIS and AAT Jurisdiction – *Joel Townsend*

The National Disability Insurance Scheme (NDIS) is major change in Australian disability policy. Under the *National Disability Insurance Scheme Act 2013* (Cth), people with disability may receive funding for disability supports. Decisions about access to the scheme, and supports to be funded, are subject to internal review processes and external merits review at the Administrative Appeals Tribunal. The early experience of merits review decision-making in NDIS matters shows the normative influence of the stable tradition of merits review which has developed in Australian law since the 1970s, and the concern of decision-makers to protect access to administrative justice. These concerns – and the insights of the early years of NDIS merits review decision-making – are particularly important and relevant as the Administrative Appeals Tribunal undergoes abolition and replacement. 327

Health Care for Victoria’s Prisoners: Honing Government Obligations – Gabrielle Wolf

Damning findings regarding the health care available to prisoners in Victoria from the recent coronial inquest into the death in custody of Veronica Nelson are alarming, but unsurprising. They echo reports from investigations conducted throughout the preceding decade, which identified impediments to prisoners accessing high-quality health care. Various factors appear to have contributed to this crisis. While the Victorian Government does not have control over all those matters, it could address some of them. This article argues that it is nonetheless difficult to hold the Government to account for improving prison health care within the current legal framework. The article therefore proposes law reforms that would hone the Government’s obligations to meet prisoners’ health care needs and strengthen means of ensuring that it fulfils them. 343

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