

Journal of South Pacific Law

2012 Issue No 2



Law and Culture Conference 2012

University of Auckland
Faculty of Law

ABOUT THE JOURNAL

The *Journal of South Pacific Law* (JSPL) is published by the University of the South Pacific School of Law. We publish a wide range of legal materials and analysis, focusing on laws of the Pacific region and related issues. We encourage writing and the dissemination of expertise from academics, practitioners, officials and students. All articles appearing in the journal are refereed by scholars with extensive background in the region and its diverse legal systems.

EDITORIAL BOARD

Don Paterson (Editor-in-Chief)
Julie Reynolds (Managing Editor)
Maryse Grandbois
Fikile Portia Ndlovu
Katharina Serrano
Mele Tupou

CORRESPONDENCE

The Managing Editor
Journal of South Pacific Law
University of the South Pacific School of Law
PMB 9072
Port Vila
VANUATU
Email: julie.reynolds@usp.ac.fj

<http://www.paclii.org/journals/fJSPL/index.shtml>

Message from the *Journal of South Pacific Law* Editorial Board

We are pleased to announce the *Journal of South Pacific Law*'s return to publication. The 2012 volume consists of a selection of papers presented at the Law and Culture Conference held at the University of Auckland in August 2012. With the theme 'Pacific Law and New Zealand/Aotearoa', this conference resulted in excellent submissions from both academics and law students. We are pleased to publish these papers in the *Journal of South Pacific Law*. Unedited versions of these submissions, as well as the presentation materials from other conference participants, may be found on the Paclii web site at <http://www.paclii.org/law-and-culture/>.

As a note to our readers, beginning with the 2012 volume of the *Journal of South Pacific Law*, our volumes will be designated by year rather than by volume number. Consequently, this issue is volume 2012, number 1, and so on.

We will also be updating the web site of the *Journal of South Pacific Law* soon.

We welcome submissions to the *Journal of South Pacific Law* for our future volumes. Please use the contact information on the preceding page to submit your articles and any questions you may have. The *Journal of South Pacific Law*'s submission guidelines are available at <http://www.paclii.org/journals/fJSPL/submissions.pdf>.

Journal of South Pacific Law

(2012) No 2

An Identity Claimed? The Case of Tamavua-i-Wai <i>Unaisi Narawa-Daurewa</i>	1
How Can Parliamentary Democracy Function More Effectively in Small Pacific Island Countries such as Tuvalu and Nauru? <i>Lisepa Paeniu</i>	6
An Argument for Therapeutic Jurisprudence in Aotearoa: a Maori Mental Health Court Underpinned by Principles of Tikanga and Therapeutic Jurisprudence <i>Jessica Aroha Hope Reid</i>	20
Liability of Traditional Healers <i>Sofia Shah</i>	26

Cover design by Siobhan Patia, LLB student, University of Auckland.

Sea shells are iconic of the ocean, the shore and its protective frame. The conch shell in particular not only protects the sea snail within but is also used as a signalling instrument in Polynesian cultures. Here, cultural patterns from the South Pacific form the shell case with the stars symbolising the Universities participating. Perspectives from New Zealand, Samoa, Tonga, the Cook Islands, Fiji, Niue and more will be present in this year's Law and Culture Conference 2012.