

# Editorial

Much in the world and our attitudes appear to have changed since 11 September 2001. Children in primary school classes have been drawing pictures of aeroplanes ploughing into skyscrapers, complete with red and yellow flames. Terrorism, war and border security have dominated the airwaves. In this context, it is more important than ever to analyse and critique the protection of human rights in both the domestic and international spheres. Part of the vigilance which we now espouse must be directed to meeting the needs of the most vulnerable, including our children. Many of the contributions which appear in volume 6 of the journal address human rights issues directly and indirectly.

Volume 6 also demonstrates the commitment of the journal to building an international network of education law professionals, with two important contributions in the International Developments section. I was privileged to hear a dynamic presentation by Dr Rika Joubert of the University of Pretoria in South Africa at the ANZELA Conference in Melbourne in October. Dr Joubert kindly agreed to contribute an article on Post-Apartheid Education laws and policies in South Africa to the journal. This article will be of interest to many subscribers as it reveals, *inter alia*, the perennial difficulty of effective implementation of education policies in an environment characterised by scarce resources. From the relative comfort of the Antipodes, it is difficult to imagine the challenges for schools, educators and students in a country in which electricity and plumbing are an unheard of luxury for some schools.

Professor Charlie Russo, who has been a staunch supporter of the internationalisation of the *Australia and New Zealand Journal of Law and Education*, has contributed with Dr Ralph Mawdsley, further thoughts on the issue of freedom of religion and schools in the light of the US Supreme Court's decision in *Good News Club v Milford Central School*. The international content of the journal owes a great deal to the efforts of colleagues in North America and it is a pleasure to acknowledge their continued participation as contributors, referees and members of the Editorial Board.

The domestic contributions in volume 6, while varied, do reflect a broad human rights theme. Rod Best has provided a sharp legal focus in his readable article on the intersection between child protection and education systems. He identifies the important relationship between the common law and statutory regimes in relation to three key child protection issues. This article is of great significance for all educational professionals. Rod Best's article is complemented in many ways by Ann Farrell's treatment of contemporary child protection law and policy issues in Queensland in which she has specifically chosen a human rights focus for her treatment.

Mary Keeffe-Martin provides a useful comparative analysis of disability discrimination in education issues in Australia and the United States. The issues associated with inclusion of students with disabilities in school are broadly similar in the two jurisdictions, but not surprisingly the response of the legislatures has been quite different. Mary Keeffe-Martin explores these differences and comments on the implications of the legal frameworks for educational

professionals. Disability discrimination is a core human rights issue in education and in an era of inclusion, a clear understanding of the legal requirements is essential for all educators.

A quartet of talented authors document the results of their research on the subject of women inmates' experiences of education in Queensland gaols. The issue of education for those in the correctional system is perhaps not an issue which receives extensive attention in the mainstream media, but it is undoubtedly a serious human rights issue for women and their children.

Francine Rochford's treatment of public policy factors in determining duties of care at common law provides a thorough summary of Australian, United States and recent United Kingdom cases. She explains the relevance of recent High Court of Australia decisions for common law negligence claims in the educational context.

Peter Williams has supplied a case note on the important English House of Lords decision in *Lister v Hesley Hall Limited*, which echoes the themes raised by Rod Best earlier in the volume. This case may prove influential in jurisdictions outside the United Kingdom and is a most significant contribution.

Bullying has become a topic of considerably relevance to schools and educators generally in recent years. Doug Stewart has provided a thorough review of the second edition of *Bullying: From Backyard to Boardroom* and has revealed another useful resource in the campaign against abuse of power and unacceptable behaviours.

Katherine Lindsay