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Announcements

Privacy Law Part II: Papers by Professor N.A. Moreham, Professor of Law, Victoria University of Wellington

Table of Contents

Privacy - Police Photographs in Public Places

A. T. H. Smith, Victoria University of Wellington - Faculty of Law, University of Cambridge

N. A. Moreham, Victoria University of Wellington - Faculty of Law

The Right to Respect for Private Life in the European Convention on Human Rights: A Re-Examination

N. A. Moreham, Victoria University of Wellington - Faculty of Law

Douglas and Others v. Hello! Ltd - The Protection of Privacy in English Private Law

N. A. Moreham, Victoria University of Wellington - Faculty of Law

[^top](#)

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VICTORIA UNIVERSITY OF WELLINGTON LEGAL RESEARCH PAPERS

"Privacy - Police Photographs in Public Places"

(2009) 68 Cambridge Law Journal at 20

Victoria University of Wellington Legal Research Paper No. 10/2019

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While the actions of private media are often scrutinised, there has been less discussion of possible intrusions of privacy caused by a public agency like the police. This article discusses these issues in the context of the case of R (Wood) v MPC which involved the police taking a photo of a man in public which he alleged breached his private life rights, protected by Article 8 of the ECHR. At trial, none of the causes of action were made out. The law in this area needs to continue to develop in order to become more in line with the jurisprudence expressed by the European Court of Human Rights.

Abstract by Rose Goss.

"The Right to Respect for Private Life in the European Convention on Human Rights: A Re-Examination"

N. A. MOREHAM, Victoria University of Wellington - Faculty of Law

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This article examines the ECtHR's interpretation of the right to respect for private life in Art 8 of the European Convention on Human Rights. The article examines more than 140 cases to show that, although usually seen as amorphous and ill-defined, 'private life' can in fact be organised into five main sub-interests: the right to be free from unwanted physical access, from unwanted informational access and from environmental pollution; and the right to be free to express one's identity and to live autonomously. This conclusion has significant implications for development of the right to privacy in English law, which draws heavily on Convention jurisprudence.

"**Douglas and Others v. Hello! Ltd - The Protection of Privacy in English Private Law**"

(2001) *64 Modern Law Review* 767-774

Victoria University of Wellington Legal Research Paper No. 12/2019

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This article considers the reasoning and likely impact of the English Court of Appeal decision of *Douglas v Hello!*. The article examines Court's approach both to the horizontal effect of the Human Rights Act 1998 and the development of the new privacy action. It also discusses the way in which the judges formulated the breach of confidence/privacy action and theoretical concepts underpinning the new action.

[^top](#)

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Victoria University of Wellington Legal Research Papers Series primarily contains scholarly papers by members of the **Faculty of Law at Victoria University of Wellington**. Some issues collect a number of papers on a similar theme to form a suite of papers on a single topic. Others issues are general or distribute mainly recent work.

The Student/Alumni Series is a subseries of the Victoria University of Wellington Legal Research Paper Series. The subseries started in 2015 and publishes papers by students and alumni of Victoria University of Wellington, comprising primarily work for honours and postgraduate courses. Papers are collected into thematic or general issues.

The Victoria University of Wellington was founded in 1899 to mark the Diamond Jubilee of the reign of Queen Victoria of Great Britain and of the then British Empire. Law teaching started in 1900. The Law Faculty was formally constituted in 1907. The first dean was Richard Maclaurin (1870-1920), an eminent scholar of both law and mathematics. Maclaurin went on to lead the Massachusetts Institute of Technology as President in its formative years. Early professors included Sir John Salmond (1862-1924), still one of the Common Law's leading scholars. His texts on jurisprudence and torts have gone through many editions and remain in print.

Alumni include Sir Robin Cooke (1926-2006), one of the leading judges of the British Commonwealth. As Baron Cooke of Thorndon, he sat on over 100 appeals to the Appellate Committee of the House of Lords, one of very few Commonwealth judges ever appointed to do so.

Since 1996 the Law School has occupied the Old Government Building in central Wellington. Designed by William Clayton and opened in 1876 to house New Zealand's then civil service, the building is a particularly fine example of Italianate neo-Renaissance style. Unusually among large colonial official buildings of the time it is constructed of wood, apart from chimneys and vaults.

The School is close to New Zealand's Parliament, courts, and the headquarters of government departments. Throughout Victoria's history, our law teachers have contributed actively to policy formation and to law reform. As a result, in addition to many scholarly articles and books, the Victoria SSRN pages include a number of official reports.

Victoria graduates approximately 230 LLB and LLB(Hons) students each year, and about 60 LLM students. The faculty has an increasing number of doctoral students. Ordinarily there are ten to twelve students engaged in PhD research.

Victoria University observes the British system of academic ranks. In North American terms, lecturers and senior lecturers are tenured doctrinal scholars, not legal writing teachers. A senior lecturer corresponds approximately to a North American associate professor in rank.

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