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## LEGAL SCHOLARSHIP NETWORK: LEGAL STUDIES RESEARCH PAPER SERIES VICTORIA UNIVERSITY OF WELLINGTON LEGAL RESEARCH PAPERS

["Whose Responsibility are Our Children?"](#) 

A Bainham (ed) The International Survey of Family Law (1999 edition, Jordan Publishing, Bristol, 1999).

[Victoria University of Wellington Legal Research Paper No. 38/2019](#)

[BILL ATKIN](#), Victoria University of Wellington - Faculty of Law

Email: [Bill.Atkin@vuw.ac.nz](mailto:Bill.Atkin@vuw.ac.nz)

1997 was a landmark year for many aspects of family law in New Zealand. The National/New Zealand First Coalition brought with it a code of social responsibility for parents on welfare. Prince allowed a claim for negligence against social workers charged with investigating child neglect. Quilter held that marriage laws should not be applied to homosexual couples, despite debates over whether it is discriminatory under section 19 of the New Zealand Bill of Rights Act 1990. There is ongoing litigation surrounding the new domestic violence laws. Shortland involved the rights that family have over consultation with doctors when a family member needs expensive medical treatment. There are ongoing discussions about the place of Māori custom in adoption law. Finally, two cases arose about the restrictions regarding the naming of children.

["Green Light for Surrogacy in New Zealand"](#) 

(1998) *Children's Issues*, Vol. 2, No. 2

[Victoria University of Wellington Legal Research Paper No. 39/2019](#)

**BILL ATKIN**, Victoria University of Wellington - Faculty of Law  
Email: [Bill.Atkin@vuw.ac.nz](mailto:Bill.Atkin@vuw.ac.nz)

Surrogacy in New Zealand has had a chequered history. There is nothing illegal about private parties agreeing to surrogacy, but professionally managed surrogacy raises questions of legality and whether there should be legislation controlling the area. This article goes into the various historical and ethical questions that surround surrogacy in New Zealand, while drawing comparisons with the law in California. The Yates Bill is discussed, with mention of its attempts to control (rather than forbid) surrogacy in New Zealand. The legal questions of the status of the child and the validity of surrogacy contracts are also discussed.

["Child Support in New Zealand Runs into Strife"](#) 

(1994) *Hous LR* 631

[Victoria University of Wellington Legal Research Paper No. 40/2019](#)

**BILL ATKIN**, Victoria University of Wellington - Faculty of Law  
Email: [Bill.Atkin@vuw.ac.nz](mailto:Bill.Atkin@vuw.ac.nz)

The New Zealand reform around child support, namely the Child Support Act 1991, was brought in with the intent of helping children through greater assistance from the absent parent. However, this simple ideal overlooks the complexities of social conditions and public attitudes. Situations such as non-nuclear and second families are given little thought in the Act. This article reflects on the child support system that the Act has created, before analysing the judicial response towards the Act, particularly in terms of departure orders. Finally, the political and social response to the Act is noted, with an eye looking towards the reviewing of the legislation.

["Child Support Update - Problems Persist"](#) 

(1993) 1 *BFLJ* 52.

[Victoria University of Wellington Legal Research Paper No. 41/2019](#)

**BILL ATKIN**, Victoria University of Wellington - Faculty of Law  
Email: [Bill.Atkin@vuw.ac.nz](mailto:Bill.Atkin@vuw.ac.nz)

This article examines some of the reasons why the Government is undertaking a further review of the Child Support Act 1991. It also discusses a range of judgments, including five appeals to the High Court.

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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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