

VALUM 2018

LAW ALUMNI MAGAZINE

VICTORIA
UNIVERSITY
WELLINGTON

TE WHARE WĀNANGA
O TE ŪPOKO O TE IKA A MĀUI



**Anger and the politics
of blame**

Professor Martha C. Nussbaum

**The rocketing value
of privacy**

Associate Professor Nicole Moreham

In plain sight

Zoë Lawton

Welcome

From the Pro Vice-Chancellor and Dean of Law

Welcome to *v.alum* 2018, our annual magazine for alumni and friends of Victoria University of Wellington's Law School. It has been a very busy year, and it is a great privilege to be part of a community where so many—alumni, students, and staff—are achieving so highly on the national and international stage.

This year, our ranking in the *QS World University Rankings by Subject* rose again, to 38th in the world, reflecting the exceptional quality of scholarship at our Law School and the expertise and dedication of my colleagues. We welcomed renowned legal philosopher Professor Martha C. Nussbaum as our 2018 Borrin Fellow in June, when she gave a memorable lecture entitled 'Anger, Powerlessness, and the Politics of Blame' to a capacity crowd. We were delighted to appoint four new permanent academic staff—Dr Marcin Betkier, Dr Zoë Prebble, Dr Ruiping Ye and Dr Michelle Zang—who bring a wealth of diverse expertise to the Faculty. I would like to congratulate Sir Terence Arnold on his richly deserved honorary Doctor of Laws, awarded at this year's May graduation ceremony.

On a sadder note, we have recently heard of the death of alumnus Sir John McGrath, former Supreme Court judge and Solicitor-General, Chancellor of Victoria University of Wellington between 1986 and 1989, and recipient of an honorary doctorate in 1992. He was a beloved member of the legal community, displaying warmth and good will to all, and he will be very much missed.

In some ways, it has been a challenging year for our community, and for the legal profession in New Zealand.

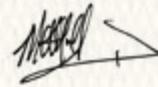
“Our alumni are a source of great inspiration, knowledge and support for our students and I am grateful to all those who take the time to give back to our Law School community.”

An important process of acknowledgment and action relating to some aspects of the culture of the profession has emerged this year, and that process continues. This was strongly felt on campus and I want to recognise the student body, and representative groups such as the Victoria University of Wellington Students' Association, Law Students' Society, Feminist Law Society, Ngā Rangahautira, Asian Law Students' Association

and the Pasifika Law Students' Society for their work in supporting affected students and advocating for change.

The Law School is behind them. We are committed to supporting our students—around 60% of whom are women—in asserting their right to be treated with decency and respect in the workplace, as in all other areas of their lives. We believe this focus on creating a fairer, healthier and more inclusive profession will ultimately have strong benefits for the legal community in New Zealand.

We had a lovely snapshot of that community in September, when we held a reunion for alumni who graduated in the first half of the 1990s. One of our current students who spoke at the event said she felt privileged to meet so many accomplished lawyers who had started with a similar experience to hers. Our alumni are a source of great inspiration, knowledge and support for our students and I am grateful to all those who take the time to give back to our Law School community. I wish you and your families all the best for the festive season and the New Year.



Professor Mark Hickford
Pro Vice-Chancellor and Dean of Law



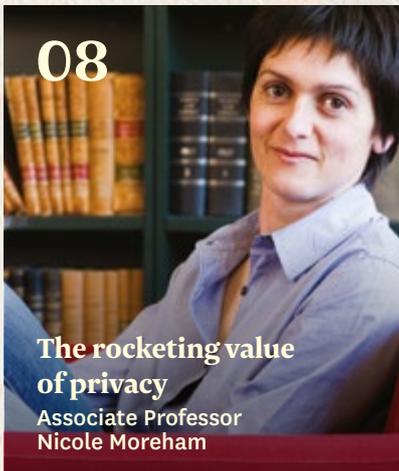
Keep in touch

You can sign up online to receive event invitations and our e-newsletter, and check that your details and communication preferences are up to date.

www.victoria.ac.nz/law-mailing-list

✉ mark.hickford@vuw.ac.nz
☎ 04 463 6309
📍 Room 203, Old Government Buildings, 55 Lambton Quay, Pipitea Campus

Contents



- 22 **Connecting the dots** Nerissa Barber
- 24 **Brexit and the British constitution** Professor Martin Loughlin
- 26 **A quarter century on** Graduating classes of 1990-94
- 28 **Honouring Sir Terence Arnold**
- 29 **Sir Owen Woodhouse's legacy lives on**
- 30 **World-class research**
- 33 **Staying on top of government law**
- 33 **Tony Angelo appointed Emeritus Professor**
- 34 **New faces** Dr Marcin Betkier, Dr Zoë Prebble, Dr Ruiping Ye, Dr Michelle Zang
- 36 **Looking back, looking forward** Fletcher Boswell, Nopera Dennis-McCarthy, Barbara Graham, Melissa Harward, Hanna Tevita, Nathan Tse
- 38 **Going to the Vis Moot**
- 40 **Our year**
- 46 **Awards, honours and appointments**
- 49 **Partnership provides cutting-edge technology, scholarships and support**
- 50 **Published in 2018**
- 54 **2019 postgraduate course timetable**

v.alum is published by Victoria University of Wellington's Faculty of Law.
Editorial team: Maria Belich, Samuel Burt, Elizabeth Cherry
If you have questions, comments or suggestions, email us at
✉ lawnews@vuw.ac.nz
The views expressed in *v.alum* are not necessarily those of Victoria University of Wellington.



Finding the human side of the law

The Honourable Justice Joe Williams' career path has been studded with 'firsts'—the latest being his appointment to New Zealand's Court of Appeal as its first fluent te reo Māori speaker.

Justice Williams was also the first member of his large extended whānau (Ngāti Pūkenga and Te Arawa: Waitaha, Tapuika) to pass School Certificate and obtain a law degree. Almost one year into his new role, Justice Williams reflects on his passage from an ‘angry and argumentative lad’ from Manaia in the Coromandel (via Hastings) to the Appeal Court bench, and how his time at Victoria University of Wellington shaped that course.

When your appointment to the Court of Appeal was announced in December last year there was a lot of commentary about the fact you were the first te reo speaker to be appointed to that Court. Has this been significant?

Well the great irony is my skills in te reo are pretty much redundant in this Court. That’s no reflection on the Court, but rather the nature of the work we do here. Te reo is used by registry staff to open and close the courts, as happens in other jurisdictions, and counsel will often introduce themselves in Māori. And there’s another sweet irony in the fact it’s almost exclusively Crown counsel who do it, and they do it as a matter of principle, and with pride, and that’s fantastic in my view. So, I do get to hear Māori during my working day but it’s not an ordinary language of discourse as it was for me at the Waitangi Tribunal and as a Māori Land Court judge, where exchanges between judges, who were often Māori themselves, and parties, are routinely conducted in te reo.

I do grieve the lack of Māori as a standard language of discourse in this jurisdiction and realistically I don’t think that will change in my lifetime. But small steps are being made and I am not going to complain about that. I have never felt push back, even among quite conservative colleagues. The good will has been palpable and that has made leadership in this area much easier than might otherwise have been the case. I know my fellow judges on this Court are committed to making greater use of te reo, and if you want a measure of that commitment it can be seen in the fact that they have collectively funded a teacher to assist them to improve their own skills.

Was this love of the law in your DNA, buried in your whakapapa somewhere?

Only in the sense that I was an argumentative brat. I was raised by my great aunt and uncle who I called Mum and Dad. He was a boxer who looked, and was built, like Mike Tyson. He worked as a brisket puncher in the freezing works. The brisket puncher’s job was to walk up and down the chain punching the pelt away from the carcass from the chest out. He’d retired by the time I was around 12, but it was clear he was revered as a strong man by the other butchers. Mum was a homemaker who worked incredibly hard and supplemented the family income with some seasonal picking jobs—tomatoes, asparagus, apples, peaches—whatever was going. She was the backbone of our family, really. Nobody in my entire whānau, and that’s hundreds of people, had even got School Certificate before me as far as I know. My siblings all left school at 15 and worked at the freezing works or in other labouring jobs.

Where I grew up being Māori meant you were poor and you were very second class. I don’t mean that in a pejorative sense. I am proud, very proud of who I am and where I came from. But I grew up used to being ‘othered’ all the time—not in the Māori community, but in interactions outside the Māori community. And although it was pivotal in many ways, my experience as a Māori scholarship boy at Lindisfarne College was not always positive. I was quite a disruptive student, and in trouble much of the time. I got into a fight with a fifth former on only my second day at school. It’s hard to go back and unpick what the drivers of that were but I think I was a fish out of water, full of inarticulate anger. I still felt like an ‘other’. What Lindisfarne did give me, however, was the gift of expectation. They just expected that I would go on to tertiary study. But for that, I would probably have ended up as a freezing worker too.

And then it’s funny, I got to university and ran into all these middle-class Māori who were children of teachers or professionals who had a whole different perspective. Different expectations of themselves, and of the world, and it was the first time I had seen that really. It was quite eye opening for me to see that there was a whole other thing about Māori aspiration that had never occurred to me, and that changed my life fundamentally. University did two things for me—it connected kaupapa Māori, which I had been big on since my teenage years, and the law. I had gone to Victoria

“I like the civility of judicial process. If we disagree we do so respectfully and we are careful about how we do that, which makes disagreement easier.”

University of Wellington to study Māori, enrolled in a Bachelor of Arts in te reo and then I started hanging out with the Māori students, many of whom were studying law—people like Shane Jones and Annette Sykes—and it just seemed to me what they were doing sounded pretty cool. Suddenly the world made perfect sense, and I had found a way of applying my skills to something that felt right to me.

Professor Alex Frame had a significant impact on me. He taught the Treaty and Māori land law long before it was cool and we would spend hours and hours together, him teaching, me listening, trying to get a feel for this big organism I now have a basic feel for. So did Sir Ken Keith, Professor Gordon Orr, John Thomas and Deborah Shelton (my small group teacher). There were lots of others, but these are people who stand out in my mind looking back and who helped shape my understanding of the law and my role in it.

I do love the law. The law can be a tool for great oppression or great good, and I would only be here if I believed its potential for great good is greater than its potential to wreak havoc. My teachers at Victoria University of Wellington deserve credit for fostering that conviction in me. On the Māori side, I had the privilege of learning at the feet of Ruka Broughton, a lecturer in Māori Studies. He was not so much my teacher as my tohunga. He opened up the whole world of tikanga Māori to my generation of students. He was one of the last remaining tohunga of the old school. He passed away many years ago but he is still spoken of in hushed tones at Victoria University of Wellington, and throughout the Māori world. He taught me about an ancient, yet still living, world of values and principles that made such sense to me. It was the perfect complement to the study of law. So the education I received at Victoria University of Wellington was bicultural and bi-legal. And it established my life path.

What have been some of the challenges in the transition from the High Court to the Court of Appeal?

I miss the oxygen of human beings in the trial courts. In the High Court, even in the laundered environment of legal process, people appear before you in the flesh, often in the most stressful circumstances imaginable, and you are required to make decisions about people's lives that will often be the most important decisions any public official will ever make for them. To play a part in that human narrative is still the most powerful thing in that job and I have always thought of it as an incredible privilege—and have often felt I fell short of its demands.

The Court of Appeal does not have that. Here the humans are bleached out and we are stuck with what the American judge Justice Learned Hand called the “partial vacuum of the appellate record”, and I really feel that.

But the advantage is that the issues are sharper, and the opportunities to interpret, build or evolve the law are present every day in your work in a way you would get only occasionally in the High Court. So, the price is worth paying.

As a High Court judge you were a lone decision-maker. How have you adapted to the more collegial approach in the Court of Appeal?

Each member of the Court must still bring their independent mana when making decisions, but yes, the ability to work collegially is one of this Court's real advantages. I like the civility of judicial process. If we disagree we do so respectfully and we are careful about how we do that, which makes disagreement easier. So that part of the job is neat and it is much less lonely than the High Court in that regard. The downside is that you must convince at least one, and often two other judges, to your point of view, and the people you are trying to convince are some of the brightest and hardest-working people in the country.

“The education I received at Victoria University of Wellington was bicultural and bi-legal. And it established my life path.”

What sort of hours would you put in each week?

No matter how smart and efficient you are, you do have to work very hard as a judge to do your job properly. Typically, I work a dozen hours a day. And it's absolutely a seven-day-a-week job. Most judges would say that, even the fast turn-over people would say that it is a seven-day-a-week-job. But what makes it bearable is it is so important. What you do really, really, matters in the lives of people—so it is hard to resent the time required to do the job properly.

What is really exciting about coming to the Court of Appeal is that here you have this heightened sense of the law as this incredibly complex mechanism, or organism—it's both of those really. You can only survive in the law if you understand there is some underlying narrative to it. It happens incrementally and not always in a logical progression. Starting out in the Māori Land Court and the Waitangi Tribunal, I developed a deep understanding of some relatively narrow areas of law; environmental law, Māori land law, Treaty claims, public law. And then I changed jobs to become the equivalent of a general practitioner in the High Court, where you are required to quickly develop an expansive grasp of the law, from tax law to commercial law to the law of evidence.

As the years go on this incredibly complex organism—that is, the law of Aotearoa—starts to take shape and you start to feel a developing understanding, or dawning, of the underlying narrative, which is quite exhilarating. You need to work quite hard to get to that point and I am just walking in that direction. But coming to the Court of Appeal you feel that sense of connection even more strongly, and that's neat.

Looking back now from the vantage of the bench, do you have any advice for today's law students?

Not advice, no, but perhaps a couple of observations from my own experience. When it dawned on me that law is a way of thinking, not a body of dogma, it became much easier to do. It is a discipline, it is a tool of human frailty. So remember that law is a way of thinking. Being a judge reminds me of this every day.

Law's words are power. It is power written down on a page that impacts on the lives of ordinary people. It is not a fact scenario or just an equation for solving a problem. That's the magic in it. The discipline of the law requires you to think from an equations perspective and then to find the human in it. Law isn't law without both of those elements, and certainly judging isn't judging without both of those elements, so remember that.

And I think the most important thing I learnt at law school is 'it's not the answer, it's the question'. That might sound a bit enigmatic but it's completely true and the most practical lesson I learnt. Find the right question and the answer will come. Most people make mistakes when they ask themselves the wrong question. That was good advice to me from my teachers, and those basics work just as much for me as a judge as they did for me as a law student.

“I do grieve the lack of Māori as a standard language of discourse in this jurisdiction and realistically I don't think that will change in my lifetime.”

The rocketing value of privacy

Despite assumptions to the contrary in our social media-saturated times, Associate Professor Nicole Moreham says there is an increasing recognition of the value of privacy. Navigating celebrity scandals, six-figure sums and rude basking, she argues the law is right to regard privacy as a fundamental aspect of human autonomy and dignity.

In 2002, model Naomi Campbell received £2,500 in damages, plus £1,000 in aggravated damages, after the *Daily Mirror* published photos of her leaving a Narcotics Anonymous meeting and details of her drug addiction treatment. In 2003, actors Michael Douglas and Catherine Zeta-Jones were awarded £7,250 each in damages for the distress and inconvenience caused when *Hello!* magazine published unauthorised photos of their wedding. In 2008, former Formula One boss Max Mosely received £60,000 when *News of the World* published photos and video of him participating in a sado-masochistic orgy.

“One of the things about privacy law, particularly in the UK, is that the case law is driven by celebrities and public figures,” says Nicole. “They’re the ones who get the most media exposure, so they’re the ones whose privacy gets breached, but they’re also the ones who have the means to seek redress in the courts. Public figures and celebrities are creating cases that push the law forward, and the law applies to all of us.”

Until relatively recently, damages for privacy breaches were low. “With Campbell, or Douglas, these are not big sums. It’s not going to hurt you as a large media organisation. There were still massive costs bills, which were a big factor, but the actual awards weren’t really worth fighting over. Mosely got significantly more, but it was such an egregious breach—it’s hard to imagine a more humiliating breach of privacy. It’s actually still reasonably low compared to the awards you get for defamation.”

Then, in 2015, a group of eight claimants received a total of £1.2 million in damages (individual amounts ranged from £72,500 to £260,250) following a systematic campaign of telephone hacking conducted by Mirror Group Newspapers Ltd. And earlier this year, Cliff Richard was awarded £210,000 in damages for breach of privacy, following the BBC’s 2014 broadcast of a raid on his house by police investigating allegations of historical child sexual assault.

So how did the courts start arriving at such large sums? According to Nicole, once it’s accepted that an actionable breach of privacy has occurred, the question of how much should be paid out involves two further questions. “One is about conceptualising the nature of the loss—what is it you suffer when somebody breaches your privacy? And then, how much is that worth in monetary terms?”

The phone hacking case, *Gulati and others v MGN Ltd*, was a game-changer, she says. “The awards suddenly started to go right up. In that case, you saw multiple six-figure awards. According to the judge, Justice Mann, this was partly because of the nature of the breach—these people had their privacy taken from them systematically for a period of years.” One of the victims, actor Sadie Frost,



Associate Professor
Nicole Moreham

“Public figures and celebrities are creating cases that push the law forward, and the law applies to all of us.”

described the experience as a “living hell” that made her suspect her mother of selling stories to the press. Former footballer Paul Gascoigne, who was undergoing treatment for mental health issues, was told his paranoia about phone hacking was a delusion. “It hugely interfered with their relationships, their sense of self. They started to suspect the people closest to them. It had a terrible impact,” says Nicole.

But what was most significant about the *Gulati* judgment, she says, was that it set out that the court wasn’t just compensating for the distress caused—it was compensating for the breach itself. “Traditionally in the law of tort, you’re compensating for harm. A classic torts case for harm would be, ‘you caused me physical injury’, or in New Zealand where we have ACC, ‘you caused me financial loss’. This—you breached my privacy—is a long way from that. People accept it’s a harm, but what’s the nature of that harm? One way of looking at it, that has had quite a lot of currency in the courts, is that you’re compensating for the distress caused. But this judgment said, over and above distress, we’re compensating for a loss of privacy per se. Saying that a breach of privacy in itself is a harm that deserves compensation is quite a radical shift. It brings privacy more into line with torts like assault or false imprisonment, which are actionable as a matter of right.”

The underlying logic of this shift, she says, relates to the reasons we value privacy. “When you go to the language of the courts, and the theorists, you see they all say that the reason we protect privacy is because it’s a fundamental aspect of autonomy and dignity. What the courts are really doing is saying, ‘This person has treated you in a way which is inconsistent with your entitlement to respect’. That if somebody humiliates you or exposes you, then that’s a loss, regardless of how you respond to it.”

This is illustrated when you consider the most vulnerable people. “Consider a person who is mentally impaired, for example, so mentally impaired that they don’t really know what’s going on, or a child, or a person who is unconscious. You could breach their privacy—you could take a photograph

of them naked being attended to in a hospital, and put it on the internet, and they’re not going to suffer any distress. And yet, on any theoretical or legal analysis, they’re seen to suffer a breach of privacy. Do we say then that they don’t suffer any loss and that they can’t be compensated? According to the law we don’t—we say that this is inconsistent with their dignity, and redress is appropriate.”

This conceptual shift can help explain the increase in damages awarded. “Recognising the inherent importance of privacy—its connection with autonomy and dignity—means that you give it more importance. It’s hard to say something is a fundamental part of autonomy and dignity and not recognise its importance.”

What’s the likely impact of all this on everyday people? “I think it raises the prominence of privacy, it makes it a more effectively recognised legal right—a right that applies to everybody. If you’re an ordinary person who’s suffered a breach of privacy and you can get access to the courts, it may be more worthwhile, because there’s actually some money to be had. It also means that people who might otherwise have engaged in this type of behaviour might think twice, because the costs are higher.”

There is, however, another side to this, says Nicole. Media in the UK warned that the *Cliff Richard* decision represented a serious blow to press freedom, by appearing to set a precedent that would restrict their ability to report that an individual is under investigation by the police, prior to charges being brought. “As ordinary people are consumers of news, if this creates a chill in what the press feel that they can do, it’s going to affect the kind of information people receive. When that information is the details of Max Mosely’s orgy, we probably can do without it. But when it’s about an investigation of wrongdoing, then it does have an impact on what we can find out about the people who live amongst us.”

“When you go to the language of the courts, and the theorists, you see they all say that the reason that we protect privacy is because it’s a fundamental aspect of autonomy and dignity.”

In New Zealand, there is still a lot of uncertainty about how similar situations might play out. “Our case law is much less well developed than in England. The privacy tort was recognised in New Zealand about the same time as it was in England and Wales, but here we’ve got about a dozen cases, whereas they’ve got more like a thousand. We don’t yet know what would happen if these type of cases came to the New Zealand courts.”

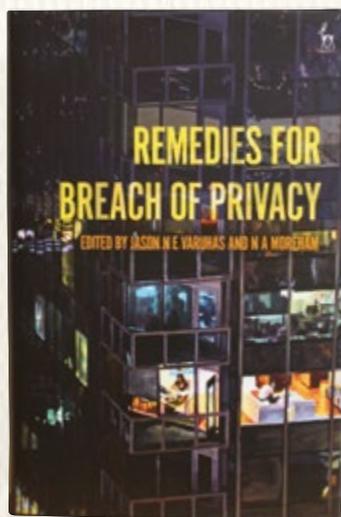
There is another avenue for addressing privacy breaches in New Zealand, via the Privacy Act—you can lodge a complaint with the Privacy Commissioner, and if the complaint can’t be settled, it can go to the Human Rights Review Tribunal. “It’s interesting that at the same time as these big increases have been going on in the English common law, we’ve seen some big increases in damages awarded by the Human Rights Review Tribunal here for breaches of privacy,” says Nicole. She cites the Tribunal’s 2015 decision to award a woman a record \$168,000 for breach of privacy under the Privacy Act. The woman’s former employer had taken an image of a cake, which featured derogatory statements about the employer written in icing, from her Facebook profile and circulated it widely in an attempt to harm her future employment prospects. “There’s a general trend to recognising that privacy is an interest worth protecting, that it needs to be taken seriously, and that includes giving greater compensation to people whose privacy has been breached.”

Does she think it’s strange that we’re seeing this trend at the same time as new technology fuels an increase in the amount of personal information we share? “I actually think social media is creating an enhanced awareness of the issue, particularly now that we’re beginning to see some of the ways in which social

“I actually think social media is creating an enhanced awareness of the issue, particularly now that we’re beginning to see some of the ways in which social media platforms operate.”

media platforms operate. So maybe we guard the bits that are remaining more carefully,” she says. “There are always different social mores about what one keeps back and what one discloses. Even before social media and the internet, we were all disclosing a huge amount more about ourselves than we would have done in the 1950s, or back in Victorian times. With social media, these mores are shifting again.”

In an era where people are voluntarily sharing so much more information, people often question if there’s any privacy left. But the ‘voluntary’ part is key, says Nicole. “The person who puts something up on social media wants to put that up. It doesn’t give you carte blanche to look at the stuff that they’re not putting up. Or to pry into things that they’re trying to keep private.” The choice, she emphasises, is valuable to the person who is exercising it: “I’ve never met anybody who is voluntarily sharing everything”.



Associate Professor Nicole Moreham is the co-editor of a new book, *Remedies for Breach of Privacy* (Hart Publishing, 2018), available now at www.bloomsbury.com

Anger and the politics of blame

“Anger pollutes democratic politics and is of dubious value in both life and the law,” the distinguished American philosopher Professor Martha C. Nussbaum told an audience at Victoria University of Wellington in June. But she conceded “for all its ugliness, [it] is a very popular emotion”.

Professor Nussbaum was visiting the University’s Faculty of Law to present its annual Borrin Lecture, delivered in honour of the late Judge Ian Borrin, a Victoria University of Wellington alumnus and major supporter of the *Victoria University of Wellington Law Review*. Before his death in 2016, he established the Michael and Suzanne Borrin Foundation to support legal research, scholarship, writing and education in New Zealand.

Professor Nussbaum is the Ernst Freund Distinguished Service Professor of Law and Ethics at the University of Chicago and has previously taught at Harvard University, Brown University and Oxford University. Titled ‘Anger, Powerlessness and the Politics of Blame’, her lecture dealt with how anger can lead us astray in political and everyday life. The climate of anger and fear that currently troubles many liberal democracies around the world is nothing new, and can be traced back to classical times, she said.

“The Greeks and Romans saw a lot of anger all around them, but ... they did not embrace or valorise it. However much they felt and expressed anger, they waged a cultural struggle against it, seeing it as destructive of human wellbeing and of democratic institutions. I believe the Greeks and Romans [were] right—anger is a poison to democratic politics, and it is all the worse, especially I think today, when fuelled by a lurking fear and a sense of helplessness.”





Victoria
University of
Wellington

Despite millennia passing, our views today towards anger and justice are arguably less enlightened, she said. “The most popular position in the sphere of criminal justice today, at least in the US, is retributivism—the view that the law ought to punish aggressors in a manner that embodies the spirit of justified anger. And it is also very widely believed that successful challenges to great injustice need anger to make progress.”

Professor Nussbaum noted however that the twentieth century saw three successful freedom movements conducted in a spirit of non-anger: those of Mahatma Gandhi, Martin Luther King, Jr, and Nelson Mandela—“people who stood up for their self-respect and that of others, and who did not acquiesce in injustice”. She said that from a philosophical viewpoint, anger is deeply flawed as a method for dealing with injustice—“sometimes incoherent, sometimes based on bad values, and especially poisonous when people use it to deflect attention from real problems that they feel powerless to solve”.

Professor Nussbaum made an exception for one type of anger which she believes is socially valuable. “We should understand that ... anger could in principle come apart. We can feel outrage at the wrongfulness of an act or an unjust state of affairs, without wanting payback for the wrongs that are done to us. There’s one species of anger that I believe is free of the retributive wish—I call this Transition Anger, because it is a sort of borderline anger but it turns around to face forward. It sets itself to solve the problem rather than dwelling on the infliction of retrospective pain.”

To illustrate her point Professor Nussbaum used the example of parents disciplining their children. “Parents often feel that children have acted wrongfully, and they are outraged. They want to protest the wrong, and somehow to hold the child accountable. But usually ... this is not a proportional payback. If their child hits a playmate, parents do not hit their child. Instead they choose strategies that are firm enough to get the child’s attention and that express clearly that what the child did was wrong. And they give positive suggestions for the future—how to do things differently. Loving parents typically have the outrage part of anger without the payback part.”

However, Professor Nussbaum admits that this parent-child strategy is contingent on the fact that parents love their children—“and I fear we do not always love our fellow citizens”. She referred to Martin Luther King, Jr, who often implored his followers to love their oppressors—but not necessarily in the way we normally think of love. “King constantly talked about love ... he said ‘I don’t mean romantic love. I also don’t mean friendly love—you have to like the people. You have to show goodwill towards them.’”

Professor Nussbaum sees little goodwill in the current US justice system, which she characterised as “a gruesome, pile-on-the-misery strategy of mass incarceration, as if that really made some improvement in the situation of crime”. But, she says, there’s a better approach that could be taken, “More like that of the good parent in my example: we might try look to the future and produce a better society, using punishment to express the value we attach to human life and safety, to deter other people from committing that crime and, we hope, deterring that individual from committing another crime”. She cited the example of the Allies rebuilding Germany following World War II. “We can now see the wisdom of that course, as Germany is among the most valuable defenders of democracy around.”

Another problem with anger is that it often goes hand-in-hand with blame, which can lead to scapegoating against vulnerable groups such as immigrants or minorities, Professor Nussbaum said. “People have a deep-rooted need to believe that the world is just. The act of pinning blame and pursuing the ‘bad guy’ is deeply consoling. It makes us feel control rather than helplessness. When problems are complex and their causes poorly understood, as economic problems tend to be, fear often leads us to pin blame on individuals or groups, conducting witch-hunts rather than pausing to figure things out.”

“The idea that pain is made good or counterbalanced by pain, though extremely widespread, is a deceptive fiction creating more pain instead of solving the problem.”





L-R: Professor Martha C. Nussbaum, Jenny George, Professor Mark Hickford

Professor Nussbaum encouraged the audience to acknowledge that in some cases negative events are not causal, and blame cannot always be attributed to an individual or group. “The world is full of accidents. Sometimes a disaster is just a disaster. The medical profession can’t keep us completely safe from disease and death, and the wisest and most just social policies will not prevent economic woes arising from natural disasters. The idea that pain is made good or counterbalanced ... by pain, though extremely widespread, is a deceptive fiction ... creating more pain instead of solving the problem. That is a kind of irrational magical thinking, and ... it distracts us from the future, which we can change. We can keep the spirit of determined protest against injustice while letting go of the empty fantasy of payback.”

Associate Professor Joanna Mossop from the Faculty of Law, who attended the lecture, says “Professor Nussbaum’s visit to the Faculty was a delight. She showed a real interest in connecting with the Faculty, especially with women academics. Her lecture was enormously enjoyable. She has an engaging style in which she can convey intellectually complex ideas in an accessible manner. The audience was swept up in a lecture that combined everything from classic literature to modern issues to make a compelling argument.”

Current Law student Annelise Samuels says she found the lecture engaging and critical. “Professor Nussbaum’s kōrero

provoked me to think deeply about the many faces of anger and its purpose. I had difficulty reconciling her position against retributive anger and blame considering that, in my opinion, it is an instinctive reaction, inherently linked to the *mamae* (hurt) you feel when you are wronged. Despite my immediate thoughts, I understand and respect Professor Nussbaum’s perspective. Retributive anger can be poisonous, harmful to vulnerable communities, and counterintuitive. Her theories were thought-provoking and I would be particularly interested to see how they coincide or conflict with concepts in *tikanga Māori*, such as *utu* (reciprocity) and *muru* (redress).”

Many of the ideas presented in the lecture feature in Professor Nussbaum’s latest book *The Monarchy of Fear: A philosopher looks at our political crisis*, which was published in July. While she largely refrained from directly addressing the Trump administration in her lecture, she said her book is a philosophical analysis of the contemporary US political situation. “I think there’s terrible polarisation [in the US] and I wrote the book to call for more dialogue and self-understanding. I think the students are more polarised than the older generation, and that’s a real problem. I find even within my university that students of different political persuasions feel that they cannot talk to each other. It’s very dangerous and it needs addressing right away.”



Zoë Lawton

In plain sight

In the wake of the #MeToo movement and sexual harassment controversies at home and abroad, one Victoria University of Wellington Law alumna is shedding light on injustice.

Legal researcher Zoë Lawton says that the media attention earlier this year relating to the experiences of summer clerks at law firm Russell McVeagh got her thinking about ways to create a forum for people to come forward and share their stories, to help make visible the extent of sexual harassment, bullying and discrimination in the legal profession.

"I saw the media coverage and I was so impressed by the brave young women who came forward—we've never seen anything like that before in the profession," she says. "I didn't want the story to just blow over and be forgotten, because I knew that the issue was much larger than one law firm. I also wanted to show my support for the young women who kicked things off."

Zoë says she initially considered doing a survey, but then had the idea of a blog, which she could set up quickly and get feedback from people in their own words—"I think hearing directly from people who have personal experience is really powerful". In February, Zoë launched an anonymous #MeToo blog to provide legal professionals and law students with a safe and neutral platform to share their experiences. She says she envisioned the blog as "a forum for people to come forward just so we could see the extent of the issue, and it would be in plain sight. I also wanted to demonstrate to the Law Society and the Minister of Justice that these issues are widespread in the legal profession".

The blog was live for one month, and Zoë received 214 responses—190 from women and 24 from men. She says the vast majority of women who submitted posts had personal experience of sexual harassment and bullying, and most of the incidents reported happened in the workplace. She then met with the Law Society and the Minister of Justice to discuss the themes emerging from the blog. "Women shared

"We need more men to be involved in the discussions on how to reduce sexual harassment, particularly because they hold the majority of leadership roles in the profession."

a wide range of experiences, from sexist or sexually inappropriate comments and touching, coercion into sexual relationships, as well as sexual assault and rape.

Predominantly women were aged 18–30 when they experienced the harassment or assault and the perpetrator was usually older and in a more senior position.”

On top of the blog posts, Zoë says in the six months after starting her blog she has received around 1,000 emails from women and men around the country who have personal experience or have witnessed others’ experiences. “The blog is only a small snapshot. A lot more women came forward who contacted me personally over email about really traumatic stuff that they didn’t want to say publicly on the blog because they were still very upset. New Zealand is also a small place and they were worried they would be recognised by the perpetrator.” As well as making harassment more visible, Zoë thinks the process of telling their stories has been useful in other ways—“It’s also just a cathartic thing for people to vent and say what happened to them, because lots of people haven’t had the opportunity to do that. I have since met many women who shared their experiences on the blog and said it has helped them process what happened and get in a better frame of mind, which is so nice to hear.”

Zoë says the influx of blog posts and emails wasn’t unexpected. “I wasn’t surprised at all. I knew that there were so many people out there who had stories to tell. In terms of volume, it’s so much bigger than what a lot of people think.” She explains that her background working as a legal researcher for the Chief Victims Advisor to Government doing research on victims of reported and unreported crime gave her a grounding in the effects and scope of sexual violence in New Zealand. It also gave her an understanding of why so few people make formal reports to Police or their employer.

While the public reaction to the blog was largely positive, Zoë says there was also some backlash. She started receiving threats and abusive anonymous emails. “It was pretty horrible to be honest, but at the end of the day you just have to keep it all in perspective—I’ve had 99 percent support and positive feedback, it’s just the other 1 percent are really loud.”

A year on from when the #MeToo movement began in the United States, Zoë says she has noticed changes in the climate around sexual harassment. “When I started the blog in February, people would email me saying ‘I really support

what you’re doing but I can’t publicly say it’. There was so much fear around being seen as a troublemaker. Now, that’s changed—there are more people who are willing to talk about it publicly and say that this is an issue. I think there’s been a huge shift in the past six months.”

An issue Zoë says is hindering the movement from progressing is the lack of male voices in the conversation about sexual harassment. She says while some men have spoken out—she notes that Kensington Swan partner Hayden Wilson and independent barrister Sam Moore have been active in this regard—she would like to see more men provide their views to the media and legal publications. She also notes that at events and forums on sexual harassment that she has spoken at around the country, most of the speakers and the audience have been female. “We need more men to be involved in the discussions on how to reduce sexual harassment, particularly because they hold the majority of leadership roles in the profession.” Zoë has set up a pledge against sexual harassment that men in the legal profession can sign with their name and where they work. “It’s a way to start the conversation with men—getting them to put their name to that.”

The next issue Zoë would like to see addressed is the low reporting rates of sexual harassment. She has recently joined a UK-based tech start-up that offers a reporting platform enabling those who have been harassed or bullied by the same perpetrator to be matched and report in groups. “When I was running the blog and in the months afterwards, the names of the same perpetrators kept coming up time and time again. Many women also expressed reluctance to report on their own as they were worried they wouldn’t be believed—it was their word against a much more senior colleague. It’s a very stressful thing to do on your own.” The reporting tool will be made available in New Zealand in the next few months. “I think this sort of

“I knew that there were so many people out there who had stories to tell. In terms of volume, it’s so much bigger than what a lot of people think.”

tool is a total game changer. It gives people who’ve experienced harassment strength in numbers and more confidence to report what happened to them.”



The 'March on Midland' in March 2018

Associate Professor Yvette Tinsley from the Faculty of Law, whose area of specialisation includes research on sexual violence, says that in terms of sexual harassment, the legal profession is just a microcosm for a wider malaise. "What's happening in the legal profession is simply a reflection of what goes on in broader society. We've had a bit of a focus on the legal profession because of the events that happened, but that's not to say that's the only place this is happening. I think it's really important to think about that message—it's not only in isolated pockets of professions, this is about wider rape culture in New Zealand more generally."

Yvette says the issues raised by #MeToo are also not new. "These are issues that women all over the world have been putting up with for a very long time. I don't know of any women among my female friends who looked at [Zoë's blog] and didn't say 'Yeah, I've had something like that happen'. What I think it's doing is heightening the consciousness—we've reached this place where we've achieved certain goals of equality, but it's made us realise that there are still these things happening."

"These are issues that women all over the world have been putting up with for a very long time. I don't know of any women among my female friends who looked at [Zoë's blog] and didn't say 'Yeah, I've had something like that happen.'"

Yvette says Zoë's blog has also helped to heighten awareness of other issues around bullying and discrimination. "It's opened the door to us thinking more creatively about all of those kinds of behaviours." Yvette says she admires people like Zoë, as well as many students, who she says have "been able to hook into an international mood, where we've got a moment that might actually start to get people thinking about how we all respond in situations around sexual harassment and sexual violence. I think Victoria University of Wellington is really lucky in that it has, and I use this word in a positive way, quite an activist student body, which I am really grateful for. It means that they are coming to us with these ideas. As researchers, we need to be listening. I think that universities can definitely be leaders in this area".

Zoë echoes Yvette's sentiments, and says she finds it heartening to see how actively Victoria University of Wellington students have been engaging with these issues, in particular those involved in initiatives like the march on Midland Park co-organised by the Victoria University of Wellington Students' Association (VUWSA), the Law Students' Society (VUWLSS), and the Feminist Law Society (VUWFLS) in March, the #MeToo blog set up by VUWSA, and the viral *New Rules* video by the Wellington Law Revue. "It's great that there have been such high-profile, student-led campaigns, and I think the University should be so proud of them. These students are willing to stick their necks out and make some noise so that the profession is ultimately a safer place for everyone to work."

Zoë says the Faculty of Law has also been very engaged with the issues and took the lead by publishing a guide for students who have experienced harassment in the workplace during clerkships and other types of internships. This was made

available on Zoë's blog and the Faculty of Law's website. The support provided by various members of the Faculty also made a huge difference, Zoë says.

"Faculty staff who I knew previously provided support and advice to me throughout this whole experience, which at times was very stressful given all the media attention. I'm really grateful and appreciative that they took the time to do that."

Zoë says she also welcomes the announcement that Dame Silvia Cartwright will chair the New Zealand Law Society regulatory working group to look at the processes for reporting and taking action on harassment and inappropriate behaviour in legal workplaces.

Does she have hope for future of the legal profession? "I think we've reached a tipping point and there's no going back to what it was like before. This is great, don't get me wrong, but there's still a lot more work to do and tough conversations that we need to have in all professions, not just law. I hope everyone takes some time to reflect on the #MeToo movement and think about what they can do to be part of the solution. Every action, no matter how small, adds up."



Small pieces of a big puzzle



The affairs of small states are often overlooked as an area of academic research, but Professor Petra Butler from the Faculty of Law is on a mission to make sure the smaller nations of the world have a strong voice.

Petra teaches Public Law and International Dispute Resolution at Victoria University of Wellington, and has also been co-director of the Centre for Small States based at Queen Mary University in London, which conducts research into the legal issues facing small states. The Centre's other co-director, Dr Caroline Morris, is based in London but originally from New Zealand and is a Victoria University of Wellington alumna.

Petra says she first became interested in small states when she moved from her native Germany to New Zealand. "Coming from a country of 82 million people and then coming to New Zealand with around four and a half million—even New Zealand was a pretty small state for me. I could see that some things worked differently, and so I got quite interested in it."

The Centre defines small states as nations that have a population of 1.5 million or less. Many of the world's small states are located in the Pacific or the Caribbean, but some are in Europe (for instance Liechtenstein and Andorra) and Africa (for example Seychelles and the Gambia). The Centre mainly focuses on legal issues but it is also interdisciplinary, and has worked closely with two other small-state research centres based in Malta and Iceland, which focus on economic issues and international relations respectively.

Petra says there are many compelling reasons to study the issues faced by the world's small states. "The interesting thing is that everything that's pertinent for small states is an issue for big states as well. What you can say is that if you find a good solution for small states, generally speaking it will be a good solution for big states too."



Petra describes the most pressing challenges facing most small states as “capacity issues in every form—especially monetary and people capacity”. She says small states often struggle to find a varied economic base that is linked to the global market but can withstand global crisis. As an example she notes the Caribbean financial services market, which is dependent on the United Kingdom for access to the EU financial market. “With Brexit, they’re losing their inroads to the EU and have to completely recalibrate,” she says.

Small states also face challenges around governance and having good independent structures in place. Petra gives an example from the Pacific region, where many small states lack the entire range of international dispute resolution mechanisms. “At the moment many Pacific states don’t have the structures to provide the entire range of tools in the international dispute resolution regime. They need this so their businesses can take part in the global economy, but also so that they attract investment,” she says.

Petra has been working with other researchers in the Pacific to try to improve international arbitration structures there. Another area of concern for many small states is the changing environment. “Because most of the small states are island states, there’s also the looming issue of climate change and sea-level rise,” says Petra.

Some of Petra’s colleagues from the Faculty of Law took part in the Pacific Climate Change Conference in February this year, which was co-hosted by the University and sought to address some of these issues. Sir Geoffrey Palmer gave a keynote address at the conference about the need to develop a firm legal framework that addresses climate change, while Professor Alberto Costi spoke about action needed to protect low-lying atoll nations from sea-level rise. Other staff in the Faculty of Law are also working on research connected to small states. Catherine Iorns has organised two conferences around small

states and environmental issues for the Centre for Small States, and is also the Centre’s advisor on climate change and the environment.

“Because most of the small states are island states, there’s also the looming issue of climate change and sea-level rise.”

Petra says the Centre has been a great way to bring Victoria University of Wellington law academics and alumni together to focus on small states research. “It’s created a forum for research—we try to be a bit of a clearing house for small states issues,” she says. Another driver behind the Centre is giving people from small states a platform to share their views and build capacity. Petra and Caroline are also the series editors of *The World of Small States*, which is published by Springer. “It gives authors from small states a home to publish their research,” says Petra.

Alongside this, the Centre organises regular conferences on topics relating to small states, such as the recent conference on environmental dispute resolution and small states held in London in September. Petra says she encourages researchers from small states to present at these conferences to give them confidence and see that they can hold their own on an international stage. “That is a real part of capacity building—they can then say ‘I spoke at an event in front of an international, varied audience and received positive feedback’. It’s part of the puzzle—that’s basically what we’re trying to do,” she says.

Petra believes small states could have a stronger voice at the international table if they worked together. “Forty states out of 193 that make up the United Nations are small states,” she notes. “I think that’s one of the really amazing details people forget, because with 20 percent of all states in the UN being small states, it means if they were to do things together and build a bloc they would have more voting power than the European Union—and that’s something to really get your head around.”



Connecting the dots

Alumna Nerissa Barber has broad interests spanning law, art, history and governance—and she’s managed to build a varied and rewarding career based around all of these areas.

After completing a double Bachelor of Law and Arts in 1985, Nerissa embarked on roles in the banking and finance sector before moving into general litigation. In the early 2000s her work for the State Services Commission included large business and information technology projects and the Scampi Inquiry into the fishing industry, which involved approximately 75 witnesses over three months of hearings. Around this time, her manager of five years told her about a role advertised at the newly formed Ministry for Culture and Heritage.

“Law was really good because it made you think ‘what are the questions, what are the issues?’ It was great training at a great faculty.”

“She came up to me with a job advertisement and said ‘Look, I really don’t want to see you go, but this role is just tailor made for you,’” says Nerissa.

At the time, the Ministry was about half the size that it is now (around 60 people), and it had not had an in-house lawyer before. Nerissa laughs as she recalls “everyone had saved up their legal problems, so when I arrived there was this sort of queue with all these tricky issues from all of the areas the Ministry works in—issues to do with the export of cultural objects, intellectual property, the Treaty of Waitangi, resource management, the Historic Places Act and the other 17 or so Acts the Ministry administers, as well as international issues. It was also interesting figuring out how to work with people who hadn’t worked with a lawyer before”.

Nerissa has since built up a high-performing legal team at the Ministry. “It’s so satisfying seeing members of the team develop, build on their skills and then go off to great roles elsewhere. I still keep in touch with them.” Nerissa says she enjoys the challenges of being an in-house legal adviser for a busy government department. “What I like about working in-house is that I get to work at the front end ... working at the beginning to stop problems happening further down the track. I also love working with people with different backgrounds to get good outcomes—it’s really collaborative.” More recently, Nerissa has had new opportunities at the Ministry acting as Arts and Media Policy Manager, Corporate Group Manager, and being the Ministry’s emergency response programme coordinator following the 2016 earthquakes.

Nerissa also enjoys working in the cultural sector, which aligns perfectly with her interest in the arts. Outside of working life, Nerissa is a strong advocate and supporter of the arts, and says she’s a patron or friend of “just about every art gallery in New Zealand”, including being a patron of the Adam Art Gallery at Victoria University of Wellington. She particularly enjoys the Gallery’s Patrons’ Programme, which includes benefits such as tours of the works from the Victoria University of Wellington Art Collection on the University’s campuses. “I look back to when I was a student, and we were so lucky waiting for lectures by these great artworks—I didn’t actually realise it at the time, but I think you do get imbued with them—they do affect you. It’s a great memory to have.”

“It was interesting figuring out how to work with people who hadn’t worked with a lawyer before.”

Nerissa is also a familiar face in the wider legal community, having served as President of the Wellington Branch of the New Zealand Law Society for four terms. As part of this role she was invited to go to Faculty of Law meetings at Victoria University of Wellington, which she really valued. “For me it was great—having been taught by Professor David McLauchlan, Professor John Prebble QC... and I went through law school with Susy Frankel and others—it has been nice going along,

reconnecting with them and hearing about their commitment to the students and the way they discuss things with such passion. I really like those connections—we’re so lucky to have the Law School on our doorstep.”

Currently, Nerissa is seconded back to the State Services Commission as a principal advisor, where she is working on state sector reforms and leads a stream of work on ethics and integrity. She says she is relishing the challenge of enhancing services across the state sector. “I’m really interested in governance, regulatory frameworks, and organisational improvement—and in general improving on how we do things.”

When asked what the highlights of her career have been to date, Nerissa almost seems to have too many to choose from. She lists her work with the Law Society to get more in-house lawyers involved with the society and the profession, establishing the Government Legal Network Treaty/Māori Practice Group, developing legislation like the new Heritage New Zealand Act, and working on a number of cross-government projects that “explore how we can collaborate across government to get better outcomes”. She also enjoyed working with international law expert Professor Campbell McLachlan QC from Victoria University of Wellington on amendments to the Protected Objects Act. “It’s nice when in your day job you get to work with people in the Faculty of Law who are subject matter experts—I like that connection,” she says.

Nerissa says she’s also proud to have re-established the Wellington Women in Law Committee in 2007 with Nikki Pender, which has introduced the annual Shirley Smith Address, a public lecture named after a former member of the Faculty of Law. “It’s so satisfying seeing that group continue to flourish,” she says. Nerissa remembers her student days at Victoria University of Wellington fondly. “Law was really good because it made you think ‘what are the questions, what are the issues?’ It was great training at a great faculty.” She also loved her studies in German and History, particularly the classes she took with Jock Phillips and Malcolm McKinnon, who would end up being colleagues of hers years later at the Ministry for Culture and Heritage. “It was such a thrill to be working with them,” she says.

Above all, Nerissa values the friendships she made throughout her studies, which are still an important part of her life. “My advice to young lawyers is establish those networks, make friends, talk to lots of people—it’s those personal relationships and contacts that are so valuable throughout your career,” she says.

Brexit and the British constitution

“Through a failure of statecraft on a scale unmatched since Lord North lost the American colonies, David Cameron has managed to convert a problem of party management into a constitutional crisis,” London School of Economics Professor of Public Law Martin Loughlin wrote in the *London Review of Books (LRB)* shortly after the 2016 referendum in which Britain voted to leave the European Union.

Eighteen months later, with the Brexit process in full swing, Professor Loughlin was at Victoria University of Wellington to deliver the Faculty of Law’s 2017 end-of-year Robin Cooke Lecture in honour of alumnus Lord Cooke of Thorndon and his contribution to New Zealand legal history. In ‘The British Constitution: Thoughts on the Cause of the Present Discontents’, Professor Loughlin unpicked the crisis he wrote about in the *LRB*, telling a capacity audience: “The [British] Government today has found itself incapable of maintaining a stable constitution. It is caught between a constitutional tradition that is effectively dead and a modern constitutional form that remains powerless to be born.”

The British constitution has been a growing source of discontent since the mid-twentieth century, said Professor Loughlin. “The anxieties begin to be expressed in the immediate post-Second World War period. In his *Thoughts on the Constitution* written in 1947, the Conservative MP Leo Amery explained that the arteries of the constitutional system were already suffering from acute high blood pressure at a time when the brain and the body which they serve were being summoned to ever greater exertions. They may have proved their adaptability in the past but he doubted they could for much longer sustain the intense strains of the near future. And he felt that the future prospect was either a complete breakdown ending in violent revolutionary change or progressive paralysis.”

Despite the widely held view that “the traditional arrangements have reached the end of their useful life”, Britain has lacked the necessary conditions for a “constitutive moment”, said Professor Loughlin. “The basic problem is that it’s only at critical moments of a nation’s development that the conditions are in place for engaging in some fundamental reconstruction of its constitutional arrangements. Those moments might be triggered by independence from an imperial power, or the utter collapse of authority of a system of government as a consequence of collapse or defeat in war, or revolutionary overthrow of the old regime.”

He suggested that “lacking the conditions for revolutionary change, we have avoided progressive paralysis by pursuing an incremental and largely surreptitious project of constitutional modernisation. The project, which has gathered pace over the last four decades, has been driven by Britain’s participation in the venture of continuing European integration”. That participation “has empowered our judiciary to review legislation, to ensure compatibility with European Union law, to adopt teleological methods of reasoning that are quite contrary to the traditional methods of the common law, to make a categorical distinction between public law and private law.

“It has led us to adopt what is in effect a bill of rights without the need for extensive public deliberation of what that might contain, and it has led to the replacement of the judicial committee of the House of Lords, of which Lord Cooke was such a distinguished member, with an independently constituted Supreme Court. But that is not all. The existence of a common European governing framework has also helped the United Kingdom to set in place a dynamic scheme for devolving governmental powers to its several constituent nations. And crucially it provides the supporting structure for the unique cross-border arrangements that have brought about a peace settlement in Northern Ireland. European integration through incremental change enabled the British to hold on to the shibboleth of parliamentary sovereignty while reconfiguring its governing arrangements and reordering its constitutional fundamentals to bring it into closer alignment with those of the modern democratic state. Participation in

the project of European integration became the method of rescuing the British constitution from institutional sclerosis”.

“Lacking the conditions for revolutionary change, we have avoided progressive paralysis by pursuing an incremental and largely surreptitious project of constitutional modernisation.”



L-R: Professor Martin Loughlin, Justice Francis Cooke, Lady Annette Cooke, Professor Mark Hickford.

One of the many fault lines exposed by Brexit is that between constitutional traditionalists and modernisers, said Professor Loughlin. But traditionalists “taking back control” are wrong to think Brexit will restore parliamentary sovereignty, he said. Sovereignty “will be reasserted but it will only be as an empty shell”. Parliament’s right to do things derives from power, not law, said Professor Loughlin, and its power “has been qualified by recent social, economic and political developments”. Its authority has been eroded by declining electoral turnout, party membership and trust in MPs, and by the delegation of its secondary law-making powers to the executive, he said.

Other factors include “a growing disaggregation in the cultural and political notion of the British people, manifested in the demands for devolution to the non-English regions” and “a dissipation of authority away from central political institutions” (e.g. the growing impact of post-parliamentary politics). “Parliament can no longer claim to present itself as the mirror of the nation,” said Professor Loughlin. “Those who think that the main threat to parliamentary sovereignty comes from the principle of the supremacy of European Union law and that after exit the status of the doctrine will be restored are mistaken.”

A quarter century on

Alumni and staff who were part of the Faculty of Law in the first half of the 1990s came together in September for a night of nostalgia and celebration to acknowledge 25 years having passed since graduating.

A group of 45 alumni gathered for an evening function in Wellington to reconnect with friends, classmates and former Faculty members, and to meet current Faculty members. The reunion was prompted by an alumna, Belinda Moffat, who wanted to reconnect with fellow alumni after returning from 10 years in London.

"I graduated from Victoria University of Wellington in 1994, and I have very fond memories of a challenging and satisfying degree, and wonderful friendships," says Belinda, who is now Chief Executive of the Broadcasting Standards Authority. "We had a lot of entertaining personalities in our classes, both students and lecturers. A year or so ago, a few of us thought 'Wouldn't it be great to find out where all of our classmates are now?' I knew that some had become MPs, some were vets, some were London-based barristers, some were cooks. I wanted to find an opportunity for us to spark up any old friendships that might have faded over the years. Most of all I had a sense that our year group

would have made a good contribution to New Zealand or global society, so I was curious to find out more."

Belinda says one of the highlights of the event was seeing old friendships being renewed. "The buzz of conversation and laughter was a wonderful sound. Some had travelled from Australia, Auckland and Tauranga—it was fantastic to have such a diverse group of former students and staff in the same room together."

Fletcher Boswell, President of the Victoria University of Wellington Law Students' Society, and Melissa Harward, President of the Feminist Law Society, attended the event.

"After listening to what Law School was like in the '90s, it was clear that some things had changed significantly and some not at all," says Fletcher. "I think this year has been a notable one for the legal profession, with many junior lawyers and law students calling for change—for a stronger emphasis on wellbeing and ensuring that students and lawyers take care of themselves as well as each other as they begin their careers. It was nice how supportive and positive the alumni I spoke to were about this. It was also great seeing how close they were, even after several decades. Within 10 minutes of being there, people seemed to slip straight back into the student culture of the 1990s."

"The atmosphere was really cool," says Melissa. "Fletcher and I said afterwards that we couldn't wait to see what our cohort would look like after 25 years of law behind us. I felt really privileged to meet so many accomplished lawyers who had been through similar things."



Reunion: Graduating Classes of 1985, 1986, 1987, 1988, and 1989

Save the Date: Thursday 19 September 2019, 5.30pm

Location:

Faculty of Law
Salmond Room (GB219)
Old Government Buildings
55 Lambton Quay
Wellington

Make sure your details are up to date:

📧 www.victoria.ac.nz/law-mailing-list

Questions? Email:

✉ law-events@vuw.ac.nz

L-R: Belinda Moffat, Penelope Borland, Melissa Harward, Professor David McLauchlan, Victoria Heine, Edward Cox, Fletcher Boswell



Growing momentum

Te Wehi Wright (Ngā Ruahine, Ngāti Rangitihi, Ngāti Kahungunu ki Te Wairoa, Ngāti Uenukūpako, me Ngāti Whakaue) graduated from Victoria University of Wellington last December with a conjoint Bachelor of Laws and Bachelor of Arts in Māori Studies and Māori Resource Management, and is a first-language speaker of te reo Māori who attended total immersion schooling until he was 16. In October he was admitted to the bar in New Plymouth in a ceremony conducted in te reo Māori—a first in Taranaki legal history.

Earlier this year Te Wehi was chosen as one of 12 rangatahi (young people) to take part in a delegation to the United Nations Permanent Forum on Indigenous Issues in New York. Six months on, he reflects on the experiences he had on the trip.

What made you want to attend the United Nations Permanent Forum on Indigenous Issues?

For me, it was the chance to reconnect Māori to their culture, and gift the beauty of our culture to those who weren't as fortunate as my siblings and I were growing up. I was also excited to hear about and share the stories of other Indigenous peoples with our people.

Who did you go with?

I was very fortunate to be part of a group of 12 likeminded rangatahi Māori from all over the country. Some I had crossed paths with throughout the years of political battles that our

parents fought together, others came from similar upbringings like Kōhanga Reo and Kura Kaupapa Māori Aho Matua (total immersion schooling), others I was aware of through the Māori-focused initiatives they had run, and others I was meeting for the first time.

We were all drawn together by our common interest—immense love and passion for our culture.

What was a highlight of your trip?

It was definitely seeing and meeting the other rangatahi. Although there were a lot of lessons learnt and experiences had from being in New York, the things we learnt from one another and seeing how the strengths of each individual contributed to the overall effectiveness of the group was inspirational, and gave me great confidence in our entire generation.

What was one of the main things you learnt at the United Nations Permanent Forum on Indigenous Issues?

I learnt that Māori are in a very privileged position on the international scale. We are seen to be very aspirational by a lot of other Indigenous peoples.

What I realised most was that for a lot of the other groups, the United Nations Permanent Forum is all they have to gather support for their respective causes—but the UN itself is a very Western framework. So while the UN is already a very slow moving machine, it's even slower when you take into account the constant clash of values and beliefs. It's hard enough for an Indigenous group to lobby one government, let alone all the governments that make up the UN.

I learnt that given our position of privilege, even with the constant tension between Māori and the New Zealand Government, Māori are very lucky not to have to solely rely on a predominantly Western mechanism like the UN to solve all our issues. In saying that, I was mindful of not falling in to a false sense of security thinking that we as Māori have it good, because we don't. Not yet.

Enough is never enough, and results are relative. What we do as Māori in Aotearoa helps to leverage what other Indigenous people ask for in their own countries.

What are your plans now that you're back in New Zealand and have recently graduated?

Our group *He Kuaka Mārangaranga* wants to use the momentum generated at the UN to try to mobilise a generation of Māori to advocate for what we believe in, for the betterment of our people. We will be doing it together, not in isolation, using our specialist skills to contribute to a wider goal.

We'll be doing road shows about the lessons and experiences we gained from the UN, and facilitating national and provincial workshops and conferences to raise awareness of issues that affect Māori today. We also intend to hold a national rangatahi hui where we can all discuss and collaborate on political, social, economic, environmental, and cultural issues.

Honouring Sir Terence Arnold

The immense contribution of former Supreme Court judge Sir Terence Arnold to New Zealand's legal profession was recognised this year when he received an honorary doctorate at a graduation ceremony in May.

Victoria University of Wellington Chancellor Neil Paviour-Smith says the honorary degree of Doctor of Laws was an acknowledgement of Sir Terence's outstanding leadership as a senior judge and former Solicitor-General, as well as his career in private practice and as a legal educator.

"Sir Terence is one of New Zealand's foremost jurists, sitting on numerous high-profile cases as a judge and leading the Crown Law Office as Solicitor-General from 2000 to 2006. This was a period of profound change for New Zealand's judicial system, with Sir Terence helping advise on the establishment of the Supreme Court to replace London's Privy Council as New Zealand's final appellate court. Sir Terence's service as a judge followed a successful career as a leading law firm partner and as a barrister, as well as his close involvement in establishing skills-based training courses for young litigators. Victoria University of Wellington is proud to celebrate its connection with Sir Terence, and his outstanding contribution to the legal profession."

Sir Terence graduated from Victoria University of Wellington with a Bachelor of Arts, majoring in Classical Greek (1968) and a Bachelor of Laws with Honours (1970). He was subsequently awarded a Master of Laws in 1972 and lectured at Victoria University of Wellington's Faculty of Law before completing a Master of Laws in Criminal Justice from New York University and lecturing for several years in Canada.

On returning to New Zealand, Sir Terence re-joined the Faculty of Law at Victoria University of Wellington. He then moved to legal firm Chapman Tripp and rose to become a partner, before joining the bar in 1994 and being appointed a Queen's Counsel in 1997. After serving as Solicitor-General from 2000 to 2006, he was appointed a judge of the Court of Appeal before being appointed to the Supreme Court in 2013. He sat on a number of high-profile cases in the Supreme Court before retiring in 2017.

He continues to sit as an Acting Judge of the Supreme Court and has been appointed, along with Sir Geoffrey Palmer QC, to conduct an inquiry into Operation Burnham, an operation in Afghanistan in 2010 involving the New Zealand SAS where civilians were allegedly killed.

L-R: Chancellor Neil Paviour-Smith, Sir Terence Arnold



Sir Owen Woodhouse's legacy lives on



Sir Owen Woodhouse

To commemorate the life and work of Sir Owen Woodhouse, one of New Zealand's most distinguished judges and citizens, a memorial lecture and fellowship have been established.

Sir Owen passed away in 2014 at the age of 97, having made an immense contribution to New Zealand's law and society. He was a decorated naval officer in World War II, President of the Court of Appeal, and founding President of the New Zealand Law Commission. He is best known for chairing the Royal Commission on Compensation for Injury. The Commission's 1967 report, which became known as the Woodhouse Report, proposed a no-fault accident compensation scheme and laid the foundations for the Accident Compensation Corporation (ACC). Sir Owen also chaired a Royal Commission in Australia with the same purpose.

Sir Owen received an honorary Doctor of Laws in 1978 from Victoria University of Wellington, as well as one from York University, Toronto, in 1981. In 2007, he was made a Member of the Order of New Zealand—New Zealand's most senior honour, limited to 20 living persons at one time.

There have been two memorial lectures to date. The inaugural Sir Owen Woodhouse Memorial Lecture was delivered in 2017 by Sir Ken Keith, who was friends with Sir Owen for almost 50 years. They first met when Sir Ken was a young academic and Sir Owen was just starting his inquiry into compensation for injury. "He was a great friend, a great man, a great lawyer and a great New Zealander," says Sir Ken. In his lecture, Sir Ken looked at some of the ways in which

safety may be promoted, especially in situations of peril, and touched on the roles of brave and visionary individuals, courts, legislators, treaty makers and the scholarly community.

The 2018 lecture was delivered by Sir Geoffrey Palmer QC in September, and looked back at the five decades since the Woodhouse Report was published. Sir Geoffrey used the lecture to call for an overhaul of the current system, saying that only about half the Woodhouse Report's "bold, almost revolutionary recommendations" went on to be included in the 1972 Act that established the first version of the system we have today. In his lecture, Sir Geoffrey said that unjust, discriminatory aspects of the system need to be eradicated, and there should be a single unified system not only for people incapacitated by accidents but also those incapacitated by sickness or otherwise disabled. A unified system was Sir Owen's intention when the Woodhouse Report was released in 1967, said Sir Geoffrey, and the "unfinished business" of what Sir Owen intended needs finally to be completed.

Sir Owen's family made an endowed gift to the Victoria University Foundation to ensure the lecture will run in perpetuity in their father's honour, reflecting his interest in the law, social justice, and social reform. Alongside these lectures, the biennial Sir Owen Woodhouse Memorial Fellowship will bring international fellows to spend time in Wellington and Auckland, with a symposium planned for Wellington. In the fellowship year the fellow will also deliver the Sir Owen Woodhouse Memorial Lecture.

Anonymous donors have made generous gifts to establish the biennial Sir Owen Woodhouse Memorial Fellowship. However, further funds are needed to maintain the fellowship and to ensure Sir Owen's contribution to New Zealand law and society is remembered in perpetuity. If you would like to support the fellowship, please contact Anna Burt, Development Manager—Law, on

+64 4 463 6323

anna.burt@vuw.ac.nz

World-class research



Royal Society Te Apārangi lauds ‘ground-breaking’ book

Senior lecturer Dr Carwyn Jones has received the Royal Society Te Apārangi Early Career Research Excellence Award for Humanities, adding to the impressive list of awards for his book *New Treaty, New Tradition: Reconciling New Zealand and Māori Law* (Victoria University Press, 2016).

The book challenges the dominance of Western legal thought in Treaty of Waitangi negotiations, and argues that genuine reconciliation must involve recognition of Indigenous traditions. Structurally imaginative, it begins with a question posed by a boy to his father—“What story are we going to have tonight, Papa?”

Carwyn says he wanted the book to “reflect a way of engaging with knowledge that reflected Māori life”. Legal traditions respond to social and economic environments, and the use of story “serves to remind the reader that law is a human and social phenomenon concerned with relationships among people; law influences how people interact with the world”.

Describing the work as “highly original” and “compelling”, Royal Society Te Apārangi said that the book “brings home the dynamic vitality of Māori legal traditions in Aotearoa today”.

“As Indigenous self-determination plays out on the world stage, this unique and nuanced reflection brings into focus prospects for the long-term success of reconciliation, not only in Aotearoa, but around the globe.”

On presenting the award, the selection committee praised Carwyn’s innovative legal research in the humanities, saying that it demonstrates a unique depth of critical thinking about the Treaty of Waitangi claims and settlement process, drawing on connected fields of history, transitional justice, Māori governance and politics, and constitutional law. “His book, *New Treaty, New Tradition*, is ground-breaking in format and context, revealing a powerful new way of using Indigenous knowledge to understand how law shapes society,” the committee said.



‘Important new perspective’ wins prestigious European prize

Dr Guy Fiti Sinclair has become the first author not affiliated with a European university to win the European Society of International Law Book Prize.

A senior lecturer at the Faculty of Law, Guy won the 2018 award for his book *To Reform the World: International Organizations and the Making of Modern States* (Oxford University Press, 2017). In it, he examines the role international organisations play in creating new states, arguing that over the past century they have been steadily expanding their powers—far beyond their original remit—in order to engage in nation building.

The prize was announced at the Annual Conference of the European Society of International Law, held in Manchester in September. In selecting a winner, the jury evaluated a wide range of books submitted by leading international publishers. They praised Guy’s innovative approach and elegant writing, noting that his book “effortlessly straddles divides: between the doctrinal analysis of the law and reflective thinking about its role in international society; between big picture arguments and historical detail; between general concepts of international institutional law and the work of three very different organisations at different times—namely, technical assistance by the International Labour Organization, peacekeeping by the United Nations, and the World Bank’s turn to governance”.

The jury concluded, “This is an important new perspective that enhances our understanding of the working of international law and of the relationship between international action and visions of statehood”.

While the book has received a number of positive reviews, Guy said that the award still came as a surprise—a very welcome one. “I’m absolutely thrilled and honoured to receive such a prestigious prize,” he said.



Reflecting society's changes in family law

“The make-up and values of New Zealand are not static,” notes Professor Bill Atkin in the new edition of his book *Relationship Property in New Zealand* (3rd ed, LexisNexis, 2018).

Society has changed dramatically since the original Matrimonial Property Act in 1976. Even since 2001, when it was heavily amended and renamed the Property (Relationships) Act 1976, the ground has shifted substantially, with a fast-evolving body of case law. “Once again eyes are on law reform: how suitable is the 1976 Act for the altered social and financial circumstances of 2018?”, asks Bill.

The final report of a huge Law Commission review of relationship property is due in 2019. Against this backdrop, the book examines key aspects of current law and asks what values and principles should drive future law.

“These can sometimes be elusive, but include gender equality, respect for the diversity of family and marital status, protection of less powerful parties within the family network, non-discriminatory treatment regarding sexual orientation, beliefs, disability ... and last but surely not least the primacy of the rights of children,” he says. “‘Family solidarity’, as opposed to individualism, sums up many of these values.”



Intellectual property online

In a world that's increasingly mediated by online interactions, how do we ensure that intellectual property functions well? This is one of the questions posed in a book co-edited by Professor Susy Frankel, *Intellectual Property and the Regulation of the Internet* (Victoria University Press, 2017).

The book covers topics including the role of copyright, the net neutrality debate, the availability of DNA sequencing online, branding and trade marks in the age of the internet, and how technology affects happiness. The authors come from around the world and provide a range of viewpoints.

“We all want the internet to be free, but we also know that it can cause a lot of problems with intellectual property,” says Susy. “Take the issue of music or film piracy online. Ultimately if no one gets paid, how will songwriters or filmmakers make money? Content creators can't survive on nothing, but the old-style copyright regime hasn't been working. The book probes this, and other copyright issues by asking, ‘what is copyright's role?’ This book provides a way to unpack the debate around intellectual property and regulating the internet—to understand the problems and how they could be addressed.”



Scrutinising government decisions

In his new book *Vigilance and Restraint in the Common Law of Judicial Review* (Cambridge University Press, 2018) senior lecturer Dr Dean Knight explores how the courts have sought to strike a delicate balance between vigilance and restraint when reviewing the decisions of ministers, public bodies and officials.

The book charts the similarities and differences in approaches to judicial review across England, Canada, Australia, and New Zealand over the past 50 years. “It’s about the way the courts decide how closely to scrutinise the decisions of government, and the voices they use—their language and form and style—when they do,” says Dean.

“The way the courts go about their business when supervising government action is of critical importance—it affects the ability of citizens to enlist the courts to address the misuse of power and resolve grievances,” he says.

“This book provides food for thought for judges, advocates and scholars on how judicial review methodology might be structured to better expresses rule-of-law values and to strengthen our conversations about accountability.”



New Zealand’s mediation landscape

Traversing mediation in New Zealand from several different angles, a book by senior lecturer Dr Grant Morris and teaching fellow Annabel Shaw aims to build a strong picture of its history, current practice, and possible future.

Annabel says that one of the aims of *Mediation in New Zealand* (Thomson Reuters, 2018) was to bring together Grant’s academic background with her practical experience in order to contribute to both the theory and practice of mediation in New Zealand.

Modern mediation developed in the 1980s and 1990s and has seen significant growth. “There is a wide range of issues that we’re using mediation to help try and resolve,” she says. “Workplace conflicts, child custody disputes, leaky building cases, earthquake insurance claims, issues between landlords and tenants, issues around resource consents, human rights complaints, large commercial contracts, and so on.”

New Zealand is considered a world leader in the practice of mediation. “We’ve got a reputation for quality—some of our mediators are among the best in the world. People look to us to see what we’re doing. However, we have room to improve when it comes to the theory. That’s a gap this book seeks to fill.”

Staying on top of government law

This year saw the New Zealand Centre for Public Law’s inaugural *Government Law: Year-in-Review* half-day seminar, held in February, which sought to explain some of the key developments in government law over the previous year.

“There is so much going on in the government law space—whether related to the Treaty, the Bill of Rights, judicial review, the shape and form of government, international law, legislation, and so on,” says Dr Dean Knight, senior lecturer at the Faculty of Law and a Co-Director of the Centre alongside Professor Claudia Geiringer.

As well as in-depth talks, the event featured a series of quick-fire sessions hitting some of 2017’s hot topics—the lack of prosecutions arising from Pike River, political advertising during the election, pay equity, and the revised Trans-Pacific Partnership Agreement.

“There’s huge activity, and an incredible appetite from people to stay on top of the tensions and shifting sands,” says Dean.

The next *Government Law: Year-in-Review* half-day seminar, which will review developments from throughout 2018, will be held on 26 February 2019. To receive an invitation to this and other New Zealand Centre for Public Law events, sign up via

🌐 www.victoria.ac.nz/law-mailing-list or email

✉ nzcpl@vuw.ac.nz

Tony Angelo appointed Emeritus Professor



Emeritus Professor Tony Angelo QC

Emeritus Professor Tony Angelo QC retired from the University in July, after a long and distinguished career. He has been with the Faculty for over 50 years, commencing in December 1967. He was appointed Professor in 1987 and served as Dean from 1991 to 1993.

Alongside his outstanding teaching record, Tony has been dedicated to assisting the development of constitutional law amongst New Zealand’s smaller Pacific neighbours. He was instrumental in establishing the Law programme at the University of the South Pacific in 1994. More recently, he has focused on reviewing the Civil Code of the Seychelles.

Tony was made an Officer of the New Zealand Order of Merit in 2012, and appointed Queen’s Counsel in 2017. The Faculty is delighted that Tony has been awarded Emeritus status, which will enable him to continue his important work for island nations in the South Pacific and Africa, and to act as a mentor to our staff and students.

New faces

We are delighted to welcome four new academic staff to the Faculty of Law.



Dr Marcin Betkier

Lecturer Dr Marcin Betkier has a Master's degree in Law from Koźmiński University in Warsaw, a Master's degree in Computer Science from Warsaw University of Technology, postgraduate MBA studies from Koźmiński University, and a PhD in Law from Victoria University of Wellington. Marcin worked for 15 years in the ICT sector in different roles—technical, commercial, and legal. His research interests centre on market regulation, competition law and policy, and data privacy (protection). He is currently researching updating the New Zealand Privacy Act 1993 to an 'adequate level' of privacy protection to meet the European General Data Protection Regulations. Marcin is an active member of the Privacy Foundation New Zealand.

Marcin's PhD thesis, "Moving beyond consent in data privacy law: An effective privacy management system for Internet services" looks for a way to overcome the failure of consent as a means of addressing privacy problems associated with online services. He is currently working on turning this thesis into a book.



Dr Zoë Prebble

Lecturer Dr Zoë Prebble's undergraduate study in law and philosophy was at Victoria University of Wellington, after which she was admitted as a Barrister and Solicitor of the High Court of New Zealand. She worked as a Legal and Policy Adviser at the New Zealand Law Commission, where she worked on criminal law and access to legislation projects.

Zoë later completed an LLM at the University of Michigan as a Grotius scholar, followed by a PhD at the Peter A. Allard School of Law at the University of British Columbia where she was a UBC Fellow, Social Sciences and Humanities Research Council Joseph-Armand Bombardier Canada Graduate Doctoral Scholar, and an Izaak Walton Killam Scholar. During her doctoral studies, she taught jurisprudence at Simon Fraser University, and criminal law and evidence at the Peter A. Allard School of Law.

Zoë's research and teaching interests centre on criminal law and criminal and feminist legal theory. She is particularly interested in gendered violence and the ways in which it is criminalised, issues related to overcriminalisation—the idea that there is too much criminal law—and how to reconcile these two themes.



Dr Ruiping Ye

Lecturer Dr Ruiping Ye earned her LLB from Xiamen University, China, and her LLM (Distinction) and PhD from Victoria University of Wellington. She researches in the areas of land law, aboriginal land tenure, comparative law and the Chinese legal system, and has published on these topics. Her new book, *The Colonisation and Settlement of Taiwan, 1684–1945: Land Tenure, Law and Qing and Japanese Policies* (Routledge, Oxon and New York, 2018) examines the relationship between the legal system, colonial policies and aboriginal land tenure changes from a comparative law perspective.

Ruiping has been admitted as a Barrister and Solicitor of the High Court of New Zealand, and was Senior Legal Officer at the New Zealand Council of Legal Education before joining the Faculty of Law. She was an in-house legal counsel at a state-owned assets investment corporation in Xiamen, China, before moving to New Zealand.

Ruiping is the recipient of a number of awards and fellowships, including a Taiwan Centre for Chinese Studies Research Grant for Foreign Scholars, Australian Centre on China in the World Library Fellowship, and Victoria University of Wellington Postgraduate Research Excellence Award.



Dr Michelle Zang

Senior lecturer Dr Michelle Zang holds a Bachelor in Law (Fudan University, Shanghai, 2004), an LLM in European Legal Studies (Distinction, Durham University, UK, 2006) and a PhD in European Union Law and World Trade Organisation Law (Durham University, UK, 2010). Before joining the Faculty of Law she completed postdoctoral research as Emile Noël Fellow at Jean Monnet Center, NYU Law School (2010–2011) and at PluriCourts—Centre for the Study of the Legitimate Roles of the Judiciary in the Global Order, University of Oslo (2014–2018). She also worked for the Appellate Body Secretariat of the World Trade Organization (2011) and King & Wood Mallesons, Beijing (2012–2013).

Michelle specialises, publishes and teaches in international economic law and European law. Earlier this year she completed work on a collection for Cambridge University Press co-edited with Robert Howse, Geir Ulfstein and H el ene Ruiz Fabri. She is currently working on a monograph on judicial engagement and interaction in international trade and investment.



Looking back, looking forward

What have you enjoyed most about your experience at law school?

“The people. Being part of a student body who are passionate, curious and want to achieve exciting things has been a real privilege. Additionally, being taught by and getting to know some of the top legal academics and practitioners in the country has been a highlight. The lecturers are always happy to make time for students and take a genuine interest in the people they teach.”

—**Fletcher Boswell**, 2018 president of the Victoria University of Wellington Law Students’ Society

“I love learning new things so the best parts of law school have been when you get a really engaging lecturer and have a class dialogue about an issue we’re covering. This semester I’m doing Māori Customary Law and Sentencing, which both weave critical theory with really practical issues—it’s fantastic.”

—**Melissa Harward**, 2018 president of the Victoria University of Wellington Feminist Law Society

“Having studied both law and non-law degrees I have loved the close-knit culture that you find at law school with both peers and academic staff. Through the diverse range of papers, tutorials, social and academic events you get to know a lot of people really fast. It’s so nice to walk through the corridors at law school because you’re guaranteed to bump into a familiar face.”

—**Hanna Tevita**, 2018 co-president of the Pasifika Law Students’ Society



What are some of the challenges facing law students today?

“This has probably always been an issue rather than one that is recent, but mental health. Law school can be an immensely stressful place for students, and universities around the country are starting to recognise that they need to provide holistic support to their students in order to help them through their degree.”

—**Nopera Dennis-McCarthy**, 2018 Ngā Rangahautira co-president

“The way in which success is perceived at law school. After talking to multiple different students and friends, success seems to be obtaining a job at one of the leading commercial law firms. I believe success is more than this. Success may be finishing your law degree, working in government or obtaining any sort of job. Our understanding of what success is at law school is so narrow, if we change the way we view success then more students will feel equal among their peers and confident to explore different employment opportunities.”

—**Hanna Tevita**

“Lack of diversity continues to be a challenge for many students, who are coming into a historically white institution. The New Zealand Law Society’s ‘Snapshot of the Legal Profession’ shows that in February 2018, 84.6% of solicitors and barristers were European. Lack of representation for minority groups can make studying law all the more intimidating.”

—**Nathan Tse**, 2018 president of the Asian Law Students’ Association, 2019 president of the Victoria University of Wellington Law Students’ Society





What’s exciting about being a law student today?

“The Treaty settlement space is an exciting area at the moment. As settlements start to wrap up and we enter the post-settlement period, there is room for innovation, new relationships and even greater autonomy. I am excited to both observe and hopefully get involved in this space.”

—**Nopera Dennis-McCarthy**

“As a Pasifika student, the knowledge that once I graduate I will be able to give back to my Pasifika community in the future. As a female student, the opportunity to contribute to the culture change within the legal profession in the absence of barriers that may have previously existed.”

—**Barbara Graham, 2018 co-president of the Pasifika Law Students’ Society**

“We are repeatedly told by employers and legal professionals that the legal profession is in its biggest transformation stage. With the development and adoption of Artificial Intelligence technologies, the rise of in-house legal teams and changes to the culture and expectations of those working in the legal profession—the future is very daunting. However, being part of the new generation of lawyers and having a say in this transformation is extremely exciting.”

—**Nathan Tse**

Ten years from now what do you think you’ll remember about 2018?

“I think 2018 has been a watershed year—not just for the Law School but also the legal profession. While the year has been characterised by scrutiny around workplace bullying and sexual violence, the conversations and change starting to happen as a consequence of this are incredibly important. I’m very optimistic about the changes that will stem from the events of this year.”

—**Fletcher Boswell**

“The March on Midland: hundreds of students standing up and saying no more to sexual violence in the workplace. I’m so proud of how much has changed this year in that space.”

—**Melissa Harward**





L-R: Melissa Lo, Darryn Ooi, Kalyani Dixit,
Shea-Lee Phillips, Sam Macintosh

Going to the Vis Moot

The Willem C. Vis International Commercial Arbitration Moot, or Vis Moot, is the world's largest international commercial law mooting competition.

It has been held annually in Vienna, Austria, since 1994. Over 300 teams from 70 countries, representing all corners of the world, take part to test their advocacy skills.

Victoria University of Wellington has a proud history of success at the Vis Moot, placing third in 1998 and 2008, fifth equal in 2003 and second in 2004. In 2009, the University team comprising Katherine Belton and David Hume won the competition. Teams from Victoria University of Wellington have reached the knockout round in every year between 2003 and 2012, one of the few common law universities to do so.



Katherine Belton,
David Hume

Our teams have received an array of individual awards including second best oral advocate, Honourable Mentions for all counsel involved, and Honourable Mentions for our written submissions.

In April 2019 a team of four law students will seek to build on this legacy when they represent Victoria University of Wellington at the Vis Moot in Vienna. The team of Melissa Lo, Rory Josayma (not pictured), Sam Macintosh and Shea-Lee Phillips will be coached by Kalyani Dixit.

Support the team

If you would like to support the team's participation in this high profile international competition, please contact Anna Burt, Development Manager—Law, on

☎ +64 4 463 6323 or
✉ anna.burt@vuw.ac.nz.

Our year



◀ **In February**, Professor Jürgen Basedow gave a public lecture providing a European perspective on the legal challenges posed by Brexit.

L-R: Professor Mary Keyes (Griffith University, Queensland), Professor Jürgen Basedow (Max Planck Institute for Comparative and International Private Law, Hamburg), Dr Bevan Marten, Dr Maria Hook (University of Otago) and Professor Campbell McLachlan QC.

▶ **In February**, the Michael and Suzanne Borrin Foundation's 2018 inaugural grant projects were formally launched at the Supreme Court. The Borrin Foundation supports legal research, education and scholarship. On his death in 2016, Judge Ian Borrin left a \$38 million bequest to establish the Foundation—an incredible gift to Aotearoa New Zealand. The Faculty was delighted to see so many Victoria University of Wellington Law alumni contributing to the 2018 inaugural grant projects.



◀ **In March**, the book *Feminist Judgments of Aotearoa New Zealand: Te Rino: A Two-Stranded Rope* was launched at the Court of Appeal. The culmination of two and a half years' work by 57 contributors and four editors, the judgments project premise involves an imaginary feminist judge sitting on the bench alongside the original judges in a particular case. How might she have decided the case and written her decision? Each judgment is then supported by a commentary that gives context and assists in navigating the judgment. The book won a special JF Northey Memorial Book Award prize at the annual Legal Research Foundation Writing Awards.

L-R: Dr Rhonda Powell (University of Canterbury), Māmarī Stephens, Professor Elisabeth McDonald (University of Canterbury).





🕒 **In March,** we held welcome evenings for our Honours and postgraduate students as they began the new academic year.

🕒 **In March,** the New Zealand Centre for Public Law held a public address with the Honourable Justice Matthew Palmer, who compared his impressions of life and law on the High Court Bench with that in practice and in academia.

L-R: Dr Dean Knight, Justice Matthew Palmer, Professor Claudia Geiringer.



🕒 **In April,** the Law School hosted a roundtable discussion on international arbitration with experts from all over the world.

L-R: Nicola Swan (Debevoise & Plimpton LLP, United Kingdom), Wendy Miles QC (Debevoise & Plimpton LLP, United Kingdom), Associate Professor Victoria Shannon Sahani (Arizona State University), Dr Christian Riffel (University of Canterbury), Professor Petra Butler, Professor Campbell McLachlan QC and Sarah Grimmer (Hong Kong International Arbitration Centre).

The roundtable was presented in partnership with the Arbitrators' and Mediators' Institute of New Zealand and the International Law Association New Zealand branch, which sponsored the event.



🕒 **In May,** Associate Professor Joanna Mossop hosted an LLM alumni reunion in Frankfurt. It was a great chance for some of our graduates to meet up with old friends, make new ones, and reminisce about their time in Wellington.



🕒 **In May,** Professor Mark Hickford spoke to Law graduands at the Faculty's celebratory morning tea.



🕒 **In May,** the Faculty celebrated the exceptional efforts of our students with the annual Dean's reception for prizewinners. L-R: Lagi Tuimavave (former Pasifika law students' coordinator, now a solicitor at Wellington Family Law) with prize winners Leilani Talua, Purcell Sali, Clara Whitcombe and Aleisha Robertson.



🕒 **In June,** the Honourable Andrew Little launched Dr Grant Morris and Annabel Shaw's *Mediation in New Zealand* (Thomson Reuters). For more about this book, see page 32. L-R: Dr Grant Morris, the Honourable Andrew Little, Annabel Shaw, the Honourable James Shaw, Ian McIntosh (Thomson Reuters).

🕒 **In June,** the New Zealand Centre for Public Law held a panel discussion on the landmark UN Human Rights Committee decision *Miller and Carroll v New Zealand*. L-R: Dr Tony Ellis (Blackstone Chambers), Professor Claudia Geiringer (Chair), Associate Professor Yvette Tinsley, Ben Keith (Thorndon Chambers).



In July, the New Zealand Centre for Public Law hosted the 26th annual conference of the Australian and New Zealand Society of International Law (ANZSIL). The theme of the conference was 'International Law: From the Local to the Global', reflecting the tension between the traditions of international law and local challenges in international law practice and scholarship.

☐ L-R: Professor Campbell McLachlan QC, Ben Keith, Dr Kimberley Trapp (University College London)



☐ L-R: Professor Anne Orford (University of Melbourne), Professor Zhao Yun (University of Hong Kong)



☐ L-R: Professor Alberto Costi, Associate Professor Joanna Mossop, Monique Egli Costi



☐ L-R: Leonard Blazeby (Head of Mission for the International Committee of the Red Cross Australia), Professor Tim Stephens (President of ANZSIL; University of Sydney), Vincent Bernard (Editor-in-Chief of the International Review of the Red Cross), Sir Ken Keith



☐ Justice Susan Glazebrook



🕒 **In July**, we hosted the public lecture, “Chemical Weapons and Other Atrocities: Contrasting Responses to the Syrian Crisis” which was given by this year’s Law Foundation Distinguished Visiting Fellow, Professor Tim McCormack (University of Tasmania).

L-R: Professor Alberto Costi, Professor Tim McCormack, Bernadette Arapere (the New Zealand Law Foundation).

🕒 **In August**, we held the annual Lecretia Seales Memorial Lecture in Law Reform. This year’s speakers were Julian Gardner and Tricia Malowney, who spoke on the topic “Assisted Dying in Practice—Lessons from Australia’s Victorian Inquiry”. Julian and Tricia were both part of the Ministerial Advisory panel whose report formed the basis of Victoria’s legislation to allow assisted dying.

L-R: Julian Gardner, Tricia Malowney, Matt Vickers.



🕒 *Moana Jackson and Ani Mikaere*



🕒 *Dr Farah Palmer*

In August, the Māori Law Review hosted their Indigenous Speaker Series 2018. This year’s theme was ‘Mana Wāhine’, and the series featured a range of accomplished speakers, including: Judge Sarah Reeves and Judge Carrie Wainright, who spoke on “Experiences on the Māori Land Court Bench”; Julia Whaipooti, who spoke about her “Experiences of the UN Forum on Indigenous Issues”; Dr Farah Palmer, who discussed “Mana Wāhine in sport and governance”; and Ani Mikaere and Moana Jackson, who discussed the mana wāhine and mana tane dynamic in the law.

► **In August**, we hosted the launch of Dr Dean Knight's book, *Vigilance and Restraint in the Common Law of Judicial Review*. For more about this book, see page 32.



► **In September**, former Prime Minister the Right Honourable Sir Geoffrey Palmer QC used the 2018 Sir Owen Woodhouse Memorial Lecture to call for a bold and visionary overhaul of New Zealand's accident compensation system.

► **In September**, as part of their public office holders series, the New Zealand Centre for Public Law held a lecture by the Right Honourable Trevor Mallard. He discussed his role as Speaker of the House of Representatives, his key responsibilities and recent changes at Parliament.



The Faculty of Law and associated research centres host a variety of events throughout the year. Find out more at

Faculty of Law

🌐 www.victoria.ac.nz/law

New Zealand Centre for Public Law

🌐 www.victoria.ac.nz/nzcpl

New Zealand Centre of International Economic Law

🌐 www.victoria.ac.nz/nzciel

Awards, honours and appointments

Congratulations to all those in our community—students, staff and alumni—who have been recognised with awards, honours and appointments this year.

Alumni

The Honourable Sir Terence Arnold QC (LLB(Hons) 1970) received an honorary doctorate from Victoria University of Wellington.

The Honourable Kerry James “Chester” Borrows (LLB 2002) was made a Companion of the Queen’s Service Order (QSO) for services as a Member of Parliament.

Catherine Callaghan (LLB(Hons) 1996) was appointed a QC in the United Kingdom.

The Honourable Justice Francis Cooke (LLB(Hons) 1990) was appointed a judge of the High Court.

Alec Duncan (LLB(Hons) 2018) was the recipient of this year’s Phanor J. Eder Prize in Comparative Law, and was invited to present his paper at the annual Young Comparativists Committee Global Conference held at Case Western Reserve University School of Law in Cleveland, Ohio.

Zane Fookes (LLB(Hons) 2017) won first prize in the Society of Construction Law New Zealand’s seventh annual Essay Competition.

Associate Judge Kenneth Johnston (LLB 1980) was appointed an Associate Judge of the High Court.

Professor Elisabeth McDonald (LLB 1988) was made an Officer of the New Zealand Order of Merit for services to the law and education in the Queen’s Birthday Honours.

Bronwyn Neal (LLB(Hons) 2018) and **Alice Wood** (LLB 2018) had success in the Brown Mosten International Client Consultation Competition. Alice and Bronwyn reached the semi-finals of the competition, ranking them in the top six countries in the world.

Sarah Reo (LLB 1998) was made an Officer of the New Zealand Order of Merit (ONZM) for services to Māori and education.

Kate Stone (LLB(Hons) 2009) was awarded both the New Zealand Law Foundation Ethel Benjamin scholarship (for outstanding women lawyers), and a Fulbright New Zealand General Graduate Award. Kate will use the scholarships to complete her LLM (on law and social change, focusing on criminal justice system reform) at Columbia University.

Judge Heemi Taumaunu (LLB 1993) was appointed Deputy Judge Advocate General and Deputy Chief Judge of the Court Martial.

The Honourable Georgina Manunui te Heuheu (LLB 1966) was made a Dame Companion of the New Zealand Order of Merit (DNZM), for services to the State and Māori. Dame Georgina was the first Māori woman to gain a law degree and be admitted to the High Court as Barrister and Solicitor. She was elected to Parliament in 1996, and served five terms until retiring in 2011.

The Honourable Sir Douglas White QC (LLB 1969, LLM 1972) was made a Knight Companion of the New Zealand Order of Merit (KNZM) for services to the judiciary.

Faculty

Professor Gordon Anderson will chair a taskforce reviewing the Holidays Act 2003. The working group will focus particularly on the calculation of holidays and leave entitlements and associated payments to ensure the Act is fit for modern workplaces and new working arrangements.

Professor Bill Atkin has been appointed to the Expert Reference Group tasked with examining reforms made to the family justice system by the government in 2014.

Professor Richard Boast QC was made an Officer of the New Zealand Order of Merit (ONZM) for services to the law and Māori.

Associate Professor Joel Colón-Ríos was chosen to join the Academia de Jurisprudencia y Legislación in Puerto Rico. The Academia is a branch of the Royal Academy of Jurisprudence and Legislation in Spain and recognises highly regarded legal scholars for their contributions to the development of the law. In more than 30 years, the Academia has selected only 26 people to become members.



Senior lecturer **Dr Guy Fiti Sinclair's** book *To Reform the World: International Organizations and the Making of Modern States* (Oxford University Press, 2017) received the Book Prize of the European Society of International Law. He was also appointed to the Scientific Advisory Board of the *European Journal of International Law*.

Associate Professor Catherine Iorns was awarded the Resource Management Law Association Thomson Reuters Publication Award in Resource Management Law for her journal article "Access to Environmental Justice for Māori" (2017 YNZJ 141-181), and the International Union for the Conservation of Nature Academy of Environmental Law Senior Education Award for her environmental law teaching and pedagogy.

Senior lecturer **Dr Carwyn Jones** received the Royal Society Te Apārangi Early Career Research Excellence Award for Humanities for his book *New Treaty, New Tradition: Reconciling New Zealand and Māori Law* (Victoria University Press, 2016). He was also appointed to the Safe and Effective Justice Programme Advisory Group—Te Uepū Hāpai i te Ora, a new advisory group for the Ministry of Justice.

At the 2018 Victoria University of Wellington Staff Excellence Awards, senior lecturer **Dr Dean Knight** was awarded the Engagement Excellence Award; the Equity and Diversity Excellence Award was awarded to a team led by **Associate Professor Nicole Moreham** and senior lecturer **Dr Nessa Lynch**; and three tutors were recognised with Te Rautaki Maruako Tutor Excellence Awards: **Emily Devaney, Lauren Daroux Greig and Pita Roycroft**.

Professor Campbell McLachlan QC was awarded a two-year Senior Research Fellowship in Berlin funded by the German Science Foundation. Campbell plans to use the fellowship to write a book on the general system of international law. From September 2020 – August 2021 he will go on to hold the Arthur Goodhart Visiting Professorship of Legal Science at the University of Cambridge.

Professor David McLauchlan took up the position of Cheng Yu Tung Visiting Professor at the University of Hong Kong in May.

Senior lecturer **Paul Scott** was awarded the Victoria University of Wellington Students' Association prize for top lecturer in the Faculty of Law.

Students

Wiliame Gucake and **Purcell Sali** won the annual Pasifika Law and Culture Conference's moot competition.

Taran Molloy won the Thomas Prize in Mooting, awarded to the best speaker in the Faculty of Law's annual mooting competition final. The runner-up was **Oliver Fredrickson**.

Darryn Ooi won the Honours category of the Three Minute Thesis competition for the presentation of his thesis entitled "If we both agreed for my best friend to arbitrate our dispute, that's fine...right?"

Indiana Shewen and **Harrison Cunningham** placed second in the International Negotiation Competition in Cardiff. They were the only New Zealand representatives out of 28 teams. They were coached by Dr Grant Morris and supported by the New Zealand Law Foundation. Harrison also won the national Witness Examination Competition for 2018.

Raphael Solomon and **Lucy Kenner** won the national 2018 Negotiation Competition.



Student prizes for the 2017 academic year

AH Johnstone Scholarships in Law—**Siobhan Davies and Taz Haradasa**

AJ Park Prize in Intellectual Property—**Ruby King**

Bernard Randall Prize in Family Law—**Rebecca McMenamin**

Chapman Tripp Prize—**Georgia Whelan**

Coleman-Brown Memorial Award—**Antonia Leggat**

Colin Patterson Memorial Prize—**Alex Ross**

Cullen Employment Law Prizes—first **Isla Doidge**, second **Georgia Gamboni, Mark McIvride, Emily Tombs**

Faculty of Law Prize in Legal System—**Catherine Hensen**

Fran Wright Memorial Prize in Criminal Law—**Rochelle Rolston**

Gordon Orr Prize—**Nopera Dennis-McCarthy**

ILM Richardson Prize—**Maddy Nash**

John Miller Award in Social Justice and Community Development undergraduate—**Indiana Shewen**

Lord Cooke of Thorndon Prize—**Taz Haradasa**

Maritime Law Prize—**James Churchill**

New Zealand Insurance Law Association Insurance Law Prize—**Fady Girgis**

New Zealand Law Review Prize—**Taz Haradasa, Siobhan Davies, Eloise Chin**

Quentin-Baxter Prize in International Law—**Georgia Whelan**

Quentin-Baxter Prize in Public and International Law—**Alex Ladyman**

Robert Orr McGechan Memorial Prize—**Lucy Kenner**

Sir Edward Taihakurei Durie Student Essay Prize—**Cate Barnett**

Thomson Reuters Prize in Jurisprudence—**Antonia Leggat**

Thomson Reuters Prize in the Law of Contract—**Taz Haradasa**

Val Gormly Memorial Prize—**Tamara Jenkin**

Vic Books Award—Best Tutor LAWS 121—**Daniella Schroder**

Vic Books Award—Best Tutor LAWS 122—**Nina Opacic**

Vic Books Award—Best Tutor LAWS 123—**Brigid Quirke**

Vic Books Award—Best Tutor LAWS 211—**Bronwyn Neal**

Vic Books Award—Best Tutor LAWS 212—**Harrison Cunningham**

Vic Books Award—Best Tutor LAWS 213—**Pita Roycroft**

Vic Books Award—Best Tutor LAWS 214—**Alex Ladyman**

Vic Books Award—Best Tutor LAWS 301—**Kristina White**

Victoria Medal for Academic Excellence—**Georgia Whelan**

The Dean's List for academic excellence in 2017

Maddie Alison	Siobhan Davies	Tamara Jenkin	Toby Major	Liam Powell	George Tvrdeich
Nathan Avis	Paul Day	Jess Jenkins	Hanna Malloch	Tom Probert	Ashley Varney
AJ Balmer	Nopera Dennis-McCarthy	Hannah Jones	Abigail Marshall	Nathan Regal	Natalie Vaughan
Ollie Barron	Georgia Drummond	Maddy Judd	Julia Marshall-Mead	Amelia Retter	Amelia Vincent
Greer Bonnette	Olivia Druzianic	Eru Kapa-Kingi	Rachel Martin	Hannah Reynecke	Etienne Wain
Jason Cao	Chelsea Easter	Danielle Karl	James McCrea	Nicola Robbins	Annabelle Webster
Emily Chan	Aidan Economu	James Keate	Peter McKenzie	Alex Ross	Emma Westbrooke
Eloise Chin	Marko Garlick	Honor Kelly	Anna Mclean	Pita Roycroft	Georgia Whelan
James Clark	Billie Haddleton	Lucy Kenner	Rebecca McMenamin	Miles Sandston	Kristina White
Sam Coad	Alex Hannagan	Hana Khan	Anna McTaggart	Anna Singleton	Tom White
Alice Coppard	Joshua Hansen	Ruby King	Emily Moon	Carlos Smith Diaz	Anusha Wijewickrama
Aimee Cox	Alana Harrison	Mia Knott	Alexandra Moore	Lola Stoodley	Katharine Woolrych
Charlie Cox	Ella Hawkey-D'Aeth	Katherine Kooistra	Maddy Nash	Finn Thompson	Campbell Wright
Ursula Crawford	Cate Hensen	Lothar Krumpfen	Bronwyn Neal	Lauren Thompson	
Kate Crichton	Caleb Houghton	Jacob Kyne	Nina Opacic	Sally Togher	
Emma Croskery	Laurie Ingle	Rosa Laugesen	Beth Paterson	Emily Tombs	
Perry Crous	Antonia Leggat			Nathan Tse	

Partnership provides cutting-edge technology, scholarships and support



*Front (L-R): Professor Mark Hickford and Andy Boss.
Back (L-R): Law students Marina Chevalier, Ruiteng Liu
and Felix Hewitson; Simon Laracy and Chris Murray from
LexisNexis; and Anna Burt, Development Manager–Law.*

The Faculty of Law and LexisNexis have partnered to ensure students have access to leading technology in support of their studies. Lexis Draft Academic and Lexis Red software offers law students and academics a comprehensive range of legal proofreading, editorial review, research and analytical tools. LexisNexis will also provide 35 scholarships over five years, and annual workshops for students, faculty and alumni on industry trends, insights and challenges.

“We seek to provide an environment that stimulates intellectual curiosity and a culture of research, while providing robust training that will support students in their careers,” says Pro Vice-Chancellor and Dean of Law Professor Mark Hickford. “This partnership uses innovative technology to support these goals. We’re very pleased to work with LexisNexis to provide world-leading opportunities for those studying Law at Victoria University of Wellington.”

“We are delighted to be helping the next generation of legal minds to pursue their passion for the law,” says Andy Boss, General Manager–New Zealand, LexisNexis Pacific.

More information about available scholarships is at
www.victoria.ac.nz/scholarships

Published in 2018

Authored Books

Tony Angelo *Seychelles Digest Supplement 2013–2016* (Law Publications, 2018).

Bill Atkin *Relationship Property in New Zealand* (3rd ed, LexisNexis, 2018).

Bill Atkin, et al *Family Law in New Zealand* (LexisNexis, 2017).

Dean Knight *Vigilance and Restraint in the Common Law of Judicial Review* (Cambridge University Press, 2018).

Grant Morris and A. Shaw *Mediation in New Zealand* (Thomson Reuters, 2018).

John Prebble and G. Pearson *Fundamentals of Income Taxation* (Thomson Reuters, 2018).

Ruiping Ye *The Colonisation and Settlement of Taiwan, 1684–1945: Land Tenure, Law and Qing and Japanese Policies* (Routledge, 2018).

Monographs

John Prebble *General Anti Avoidance Rules: Enactments from the World* (SSRN, 2017).

John Prebble and N. Opacic *A Diachronic Index and Glossary to Hans Kelsen, What is Justice?* (2017).

John Prebble and H. van Oeveren *A Diachronic Index and Glossary to Pure Theory of Law by Hans Kelsen* (2017).

Edited Books

Tony Angelo (ed) *Constitution of Tokelau* (Law Publications, 2018).

Tony Angelo and L.H. Suveinakama (eds) *Tulafono a Tokelau 2016* (Law Publications, 2018).

Petra Butler, E. Lein and R. Salim (eds) *Integration and International Dispute Resolution in Small States* (Springer, 2018).

Susy Frankel and Daniel Gervais (eds) *Intellectual Property and the Regulation of the Internet* (Victoria University Press, 2017).

Mark Hickford and **Carwyn Jones** (eds) *Indigenous Peoples and the State: International Perspectives on the Treaty of Waitangi* (Routledge, 2018).

Geoff McLay *New Zealand Law Reports* (2018) Volume 1 Supreme Court Cases, Volumes 2 and 3, High Court and Court of Appeal.

Nicole Moreham and J. Varuhas (eds) *Remedies for Breach of Privacy* (Hart Publishing, 2018).

Michelle Zang et al (eds) *Legitimacy of International Trade Courts and Tribunals* (Cambridge University Press, 2018).

Edited Journals

Tony Angelo (ed) *Comparative Law Journal of the Pacific/Journal de Droit Comparé du Pacifique* (Law Publications, 2017 and 2018).

Alberto Costi and **Susy Frankel** (eds) *Do Cultural and Property Combine to Make “Cultural Property”?* (Hors Serie XXI, Law Publications, 2017).

Chapters

Tony Angelo “The Pacific Islands Forum 2016” in Róisín Burke and Christian Riffel (eds) *New Zealand Yearbook of International Law* Vol 14, 2016 (Brill, 2018) pp 211–214.

Bill Atkin “Classifying Relationship Property: A Radical Re-Shaping?” in J. Palmer, N. Peart, M. Briggs and M. Henaghan (eds) *Law and Policy in Modern Family Finance* (Intersentia, 2017) pp 153–176.

Mark Bennett and **Petra Butler** “A Dworkinian Right to Privacy in New Zealand” in Salman Khurshid, Lokendra Malik and Veronica Rodriguez-Blanco (eds) *Dignity in the Legal and Political Philosophy of Ronald Dworkin* (Oxford University Press, 2018) pp 433–465.

Richard Boast “Adjudication of Indigenous-Settler Relations” in M.D. Dubber and C. Tomlins (eds) *The Oxford Handbook of Legal History* (Oxford University Press, 2018) pp 1–21.

Petra Butler and **Arjun Harindranath** “Articles 53–60” in S. Kröll, L. Mistelis and P. Perales Viscasillas (eds) *UN Convention on Contracts for the International Sales of Goods (CISG): A Commentary* (2nd ed, CH Beck, 2018) pp 771–825.



Petra Butler “Damages Principles under the Convention on Contracts for the International Sale of Goods (CISG)” in John A. Trenor (ed) *The Guide to Damages in International Arbitration* (2nd ed, Global Arbitration Review, 2018).

Joel Colón-Ríos “Theorising about Formal Constitutional Change: The Case of Latin America” in Gary Jacobsohn and Miguel Schor (eds) *Comparative Constitutional Theory* (Edward Elgar, 2018) pp 354–371.

Joel Colón-Ríos “Deliberative Democracy and the Doctrine of Unconstitutional Constitutional Amendments” in Ron Levy, Hoi Kong, Graeme Orr and Jeff King (eds) *The Cambridge Handbook of Deliberative Constitutionalism* (Cambridge University Press, 2018) pp 271–281.

Joel Colón-Ríos “Multi-Stage Constitution-Making: From South Africa to Chile?” in Rosalind Dixon and Theunis Rioux (eds) *Constitutional Triumphs, Constitutional Disappointments: A Critical Assessment of the 1996 South African Constitution’s Local and International Influence* (Cambridge University Press, 2018) pp 294–311.

Joel Colón-Ríos “Constitutions, Drafting” in R. Wofrum, F. Lachenmann and R. Grote (eds) *Max Planck Encyclopedia of Comparative Constitutional Law* [MPECCoL] (Oxford University Press, 2018).

Susy Frankel “Traditional Knowledge, Indigenous Peoples, and Local Communities” in R. Dreyfuss and J. Pila (eds) *The Oxford Handbook of Intellectual Property Law* (Oxford University Press, 2017) pp 1–43.

Susy Frankel “Intellectual Property as a Regulator of Behaviour” in Susy Frankel and Daniel Gervais (eds) *Intellectual Property and the Regulation of the Internet* (Victoria University Press, 2017) pp 193–211.

Mark Hickford and **Carwyn Jones** “Introduction” in Carwyn Jones and Mark Hickford (eds) *Indigenous Peoples and the State: International Perspectives on the Treaty of Waitangi* (Routledge, 2018).

Mark Hickford “Reflecting on the Treaty of Waitangi and its Constitutional Dimensions: A Case for a Research Agenda” in Carwyn Jones and Mark Hickford (eds) *Indigenous Peoples*

and the State: International Perspectives on the Treaty of Waitangi (Routledge, 2018) pp 140–165.

Mark Hickford “Reflecting on Landscapes of Obligation, their Making and Tacit Constitutionalisation: Freshwater Claims, Proprietorship and ‘Stewardship’” in Betsan Martin, Linda Te Aho, Maria Humphries-Kil (eds) *ResponsAbility: Law and Governance for Living Well with the Earth* (Routledge, Abingdon, 2018).

Mark Hickford “Colonial and Indigenous ‘Laws’ — The Case of Britain’s Empires, Circa 1750–1850” in Heikki Pihlajamäki, Markus Dubber and Mark Godfrey (eds) *The Oxford Handbook of European Legal History* (Oxford University Press, 2018) p 876.

Catherine Iorns, V. James and T. Stuart “Courts as Decision-Makers on Sea Level Rise Adaptation Measures: Lessons from New Zealand” in W. Leal Filho (ed) *Climate Change Impacts and Adaptation Strategies for Coastal Communities* (Springer, 2018) pp 315–335.

Catherine Iorns “From Rights to Responsibilities using Legal Personhood and Guardianship for Rivers” in Betsan Martin, Linda Te Aho, Maria Humphries-Kil (eds) *ResponsAbility: Law and Governance for Living Well with the Earth* (Routledge, 2018).

Catherine Iorns “Commentary on *West Coast ENT Inc v Buller Coal Ltd*: Broadening an Ethic of Care to Recognize Responsibility for Climate Change” in Elisabeth McDonald, Rhonda Powell, Mamari Stephens, Rosemary Hunter (eds) *Feminist Judgments of Aotearoa New Zealand: Te Rino: A Two-Stranded Rope* (Hart, 2017) pp 385–393.

Carwyn Jones “Maori and State Visions of Law and Peace” in Carwyn Jones and Mark Hickford (eds) *Indigenous Peoples and the State: International Perspectives on the Treaty of Waitangi* (Routledge, Oxford, 2018).

Dean Knight “*Lawson v Housing New Zealand*: State Housing, Market Rents and Families Facing Eviction” in E. McDonald, R. Powell, M. Stephens and R. Hunter (eds) *Feminist Judgments of Aotearoa New Zealand: Te Rino: A Two-Stranded Rope* (Hart Publishing, 2017) pp 103–110.

Nessa Lynch “Human Rights for ‘Hard Cases’: Alternatives to Imprisonment for Serious Offending by Children and Youth” in E. Stanley (ed) *Human Rights and Incarceration* (Springer, 2018) pp 153–179.

Nicole Moreham “Compensating for Loss of Dignity and Autonomy in the Misuse of Private Information Tort” in Varuhas and Moreham (eds) *Remedies for Breach of Privacy* (Hart Publishing, 2018) pp 125–134.

Joanna Mossop “Marine Genetic Resources and the Need for an Integrated Approach to the Seabed and Water Column” in A. Paiva Toledo and M.V.J. Tassin (eds) *Biodiversity Beyond National Jurisdiction: A Navigating Guide Through the New Implementing Agreement* (D’Placido de Editora, 2017) pp 543–562.

Joanna Mossop “Commentary on *Squid Fishery Management Company Ltd v Minister of Fisheries*: An Ecofeminist Approach to the Impact of Fisheries on Sea Lion Mortality” in E. McDonald, R. Powell, M. Stephens and R. Hunter (eds) *Feminist Judgments of Aotearoa New Zealand: Te Rino: A Two-Stranded Rope* (Hart Publishing, 2017) pp 363–369.

Joanna Mossop “Law of the Sea and Fisheries” in Róisín Burke and Christian Riffel (eds) *New Zealand Yearbook of International Law Vol 14*, 2016 (Brill, 2018) pp 282–286.

John Prebble “Kelsen, the Principle of Exclusion of Contradictions, and General Anti-Avoidance Rules in Tax Law” in M. Bhandari (ed) *Philosophical Foundations of Tax Law* (Oxford University Press, 2017) pp 79–98.

R Prebble and **John Prebble** “General Anti-Avoidance Rules and the Rule of Law” in N. Hashimzade and Y. Epifantseva (eds) *The Routledge Companion to Tax Avoidance Research* (Routledge, 2017) pp 61–77.

Zoë Prebble and **John Prebble** “Tax Avoidance and Morality” in N. Hashimzade and Y. Epifantseva (eds) *The Routledge Companion to Tax Avoidance Research* (Routledge, 2017) pp 369–386.

Guy Fiti Sinclair “A Shifting Field of Battle: the United Nations and the Struggle over Postcolonial Statehood” in Jochen Von Bernstorff and Philipp Dann (eds) *The Battle for International Law in the Decolonization Era* (Oxford University Press, forthcoming 2019) (SSRN, 2017).

Māmari Stephens and R Powell “Law in Aotearoa New Zealand” in E. McDonald, R. Powell, M. Stephens and R. Hunter (eds) *Feminist Judgments of Aotearoa New Zealand: Te Rino: A Two-Stranded Rope* (Hart Publishing, 2017) pp 15–24.

Māmari Stephens, R. Powell, R. Hunter and E. McDonald “Introducing the Feminist and Mana Wahine Judgments” in E. McDonald, R. Powell, M. Stephens and R. Hunter (eds) *Feminist Judgments of Aotearoa New Zealand: Te Rino: A Two-Stranded Rope* (Hart Publishing, 2017) pp 25–48.

Māmari Stephens, R. Powell, E. McDonald, R. Hunter, “Ko Ngā Muka o Te Rino: Threads of the Two-Stranded Rope” in E. McDonald, R. Powell, M. Stephens and R. Hunter (eds) *Feminist Judgments of Aotearoa New Zealand: Te Rino: A Two-Stranded Rope* (Hart Publishing, 2017) pp 3–14.

Māmari Stephens “He rangi tā Matawhāiti, he rangi tā Matawhānui’: Looking towards 2040” in Carwyn Jones and Mark Hickford (eds) *Indigenous Peoples and the State: International Perspectives on the Treaty of Waitangi* (Routledge, 2018).

Michelle Zang “Judicial Interaction in International Trade Courts and Tribunals” in R. Howse, H. Ruiz-Fabri, G. Ulfstein and M.Q. Zang (eds) *The Legitimacy of International Trade Courts and Tribunals* (Cambridge University Press, 2018) pp 432–453.

Journal Articles

Gordon Anderson “The Future of Employment Law: Where to Now?” (2018) 2018 *Employment Law Bulletin* p 41.

Tony Angelo “Chronique De Droit Neo-Zélandais” (2017) 23 *Comparative Law Journal of the Pacific/Journal de Droit Comparé du Pacifique* pp 207–212.

Tony Angelo, B. Bell and B. Roylance “Intergenerational Funds in the Pacific” (2017) 23 *Comparative Law Journal of the Pacific/Journal de Droit Comparé du Pacifique* pp 135–170.

Graeme Austin and D. Adelman “Trademarks and Private Environmental Governance” (2017) 93 *Notre Dame Law Review* pp 709–756.

Graeme Austin “‘This is a Complex Issue’: A Few More Questions about Fair Use” (2018) 28(3) *Australian Intellectual Property Journal* pp 97–106.

Mark Bennett “Problems in Residential Tenancy Law Revealed By *Holler V Osaki*” (2017) 48 *Victoria University of Wellington Law Review* pp 497–528.

Richard Boast “Māori Land and Land Tenure in New Zealand: 150 Years of the Maori Land Court” (2017) 23 *Comparative Law Journal of the Pacific/Journal de Droit Comparé du Pacifique* pp 97–134.

Richard Boast “Gift of the Peaks: the Origins of Tongariro National Park” (2017) Hors Serie XXI *Do Cultural and Property Combine to Make “Cultural Property”?* pp 73–100.

Richard Boast “The Native Land Court at Cambridge, Māori Land Alienation and the Private Sector” (2017) 25 *Waikato Law Review* pp 26–40.

Petra Butler and Christoph Katerndahl “Kastom—A Public Policy Exception under the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards” (2018) 7(1) *Indian Journal of Arbitration Law* pp 104–119.

Joel Colón-Ríos “On Albert’s Unconstitutional Constitutions” (2017) 50 *Cornell International Law Journal* p 17.

Joel Colón-Ríos “Book Review: The Legal Foundations of Inequality: Constitutionalism in the Americas, 1776–1860” (2017) 15(2) *International Journal of Constitutional Law* pp 563–566.

Claudia Geiringer “The Constitutional Role of the Courts Under the NZ Bill of Rights: Three Narratives from *Attorney-General v Taylor*” (2017) 48 *Victoria University of Wellington Law Review* pp 547–570.

Claudia Geiringer “Scott Stephenson: From Dialogue to Disagreement in Comparative Rights Constitutionalism” (2017) 15 *International Journal of Constitutional Law* pp 1247–1254.

Mark Hickford “Designing Constitutions in Britain’s Mid-Nineteenth Century Empire—Indigenous Territorial Government in New Zealand and Retrieving Constitutional Histories” (2018) 46 *Journal of Imperial and Commonwealth History* pp 676–706 (published online: December 2017).

Mark Hickford “A Commentary on the Problematics of ‘Cultural’ Property Modus Vivendi in New Zealand” (2017) Hors Serie XXI *Do Cultural and Property Combine To Make “Cultural Property”?* pp 101–120.

Mark Hickford “Situating Stewardship in the State Sector: Considering “Legislative Stewardship” in Context” (2017) 15 *New Zealand Journal of Public and International Law* pp 39–65

Catherine Iorns “Access to Environmental Justice for Māori” (2017) *Yearbook of New Zealand Jurisprudence* pp 141–181.

Catherine Iorns “Improving the Global Environmental Rule of Law by Upholding Indigenous Rights: Examples from Aotearoa New Zealand” (2018) 7 *Global Journal of Comparative Law* pp 61–90.

Catherine Iorns “Permitting Poison: Pesticide Regulation in Aotearoa New Zealand” (2018) 35 *Environmental and Planning Law Journal* pp 456–490.

Carwyn Jones “Treaty Settlement legislation before the House of Representatives in 2017” (2017) December *Māori Law Review*.

Carwyn Jones “Whakatōhea mandate inquiry report—recognising a mandate to negotiate a settlement” (2018) May *Māori Law Review*.

Dean Knight “Locating Dunsmuir’s Meta-structure Within Anglo-Commonwealth Traditions” [2018] *Canadian Journal of Administrative Law & Practice* p 197

Nessa Lynch “‘The Other Child’ — The Rights of the Child Victim in the Youth Justice System” (2018) 26(2) *International Journal of Children’s Rights* pp 228–250.

Nessa Lynch “Manifest Injustice? The Judiciary as Moderator of Penal Excess in the Sentencing of Youth for Murder” (2018) 57(1) *The Howard Journal of Crime and Justice* pp 57–76.

Bevan Marten “New Zealand’s Maritime Transport Amendment Act 2017” (2018) 32 *Australia and New Zealand Maritime Law Journal* pp 39–43.

David McLauchlan and Andrew Summers “Mitigation and Causation of Benefits” [2018] *Lloyd’s Maritime and Commercial Law Quarterly* pp 171–184.

David McLauchlan “Misrepresentation? Or was it a case for relief on the ground of common mistake?” [2018] *New Zealand Law Journal* pp 13–15.

Geoff McLay “Institutional law reform in New Zealand: the importance of independence” (2018) *The Theory and Practice of Legislation* pp 1–25.

Nicole Moreham “Unpacking the Reasonable Expectation of Privacy Test” (2018) 134 *Law Quarterly Review* pp 652–674.

Nicole Moreham “Abandoning the ‘High Offensiveness’ Privacy Test” (2018) 4(1) *Canadian Journal of Comparative and Contemporary Law: Privacy, Identity, and Control: Emerging Issues in Data Protection* pp 161–192.

Joanna Mossop “The South China Sea Arbitration and New Zealand’s Maritime Claims” (2017) 15(2) *New Zealand Journal of Public and International Law* pp 265–292.

John Prebble “General Anti Avoidance Rules: Enactments of the World” (2017) *Tax Law and Policy E-Journal*.

Saurabh Jain and **John Prebble** “Historical Introduction to the Test of Dominion in the Context of Double Tax Treaties” (2018) 72 *Bulletin for International Taxation No 8*, online.

Guy Fiti Sinclair “A ‘Civilizing Task’: The International Labour Organization, Social Reform, and the Genealogy of Development” (2018) 20(2) *Journal of the History of International Law* pp 145–197.

Guy Fiti Sinclair “Towards a Postcolonial Genealogy of International Organizations Law” (2018) *Leiden Journal of International Law FirstView* pp 1–29.

Matteo Solinas “The Nature of Legal Transplants—Inspirations from Postcolonial Scholarship” (2017) 22 *New Zealand Association for Comparative Law Yearbook* pp 179–216.

Matteo Solinas “The Problem of ‘Adverse Selection’ in the (Proposed) Regulation of Financial Advice in New Zealand” (2017) 27 *New Zealand Universities Law Review* pp 1215–1246.

Victoria Stace “Compromises with Creditors—New Zealand Court Proposes a New Test for Class Composition That Looks at Creditors’ Economic Interests” (2018) 26 *Insolvency Law Journal* pp 5–21.

Victoria Stace “New Zealand Banks Mis-selling Interest Rate Swaps—Highlighting Deficiencies in Retail Customer Protection” (2018) 29(1) *Journal of Banking and Finance Law and Practice* pp 16–33.

Victoria Stace “No right to claim in negligence for pre-contractual misrepresentations” [2018] *New Zealand Law Journal* p 140.

Victoria Stace “Case Commentary: Arranger of Islamic Financing Transaction owes Duty of Care to Secondary Market Investors: *Golden Belt Sukuk Company BSC and Ors v BNP Paribas*” (2018) 34(3) *Journal of Professional Negligence* pp 154–158.

Māmari Stephens “To Protect and Serve: Finding New Ways to Protect Te Reo Maori as Cultural Property” (2017) *Hors Serie XXI Do Cultural and Property Combine to Make “Cultural Property”?* pp 7–22.

Kate Tokeley “A New Framework for assessing the Personal Liability of Directors and Employees under s 9 of the Fair Trading Act 1986” (2018) 1 *New Zealand Law Review* pp 75–99.

Michelle Zang “When the Multilateral meets the Regionals: Judicial Interaction of International Trade Courts and Tribunals” (2018) *World Trade Review* pp 1–29.

Online publications

Gordon Anderson et al *The Worker Protection Index (WPI): Coding for Australia, China, Indonesia and New Zealand* (October, 2017).

Yvette Tinsley and Warren Young “Defendants and detainees with psychiatric disturbances in the criminal process in New Zealand” (December, 2017) in P.H. van Kempen (ed.) *Defendants and detainees with psychiatric disturbances in the criminal process and in the prison system* Cambridge, UK: Intersentia.

Yvette Tinsley and Warren Young “Overuse in the Criminal Justice System in New Zealand” (September, 2017) in P.H. van Kempen (ed.) *Overuse in the Criminal Justice System* Cambridge, UK: Intersentia.

Looseleaf Treatises and Commentaries

Gordon Anderson Updates to ‘Personal Grievances’ in *Mazengarb’s Employment Law* (LexisNexis, 2018).

Dean Knight and Christopher Mitchell *LexisNexis Local Government* (LexisNexis, 2003–; 2018 updates).

Nessa Lynch Adams on *Criminal Law* (Thomson Reuters, 2017).

Reports

Catherine Iorns *Case Studies on Compensation after Natural Disasters* (Deep South National Science Challenge, 31 March 2018) 62pp.

Catherine Iorns and Vanessa James *Sea level rise, housing and insurance: Liability, compensation and related policy options* (Deep South National Science Challenge, 30 Sept 2018) 21pp.

Catherine Iorns and Jesse Watts *Adaptation to Sea-Level Rise: Local Government Liability Issues* (Deep South National Science Challenge, 30 Sept 2018) 226pp.

Catherine Iorns, Jesse Watts and Vanessa James *Sea level rise, Storms, Floods and Insurance under the New Zealand Earthquake Commission Act 1993* (Deep South National Science Challenge, 30 June 2018) 103pp.

Catherine Iorns, A. Greenaway et al *Advancing Ecosystem Based Management in Aotearoa New Zealand using current governance arrangements* (Manaaki Whenua Landcare Research, March 2018) 41pp.

Campbell McLachlan *Equality of Parties before International Investment Tribunals* (Institut de Droit International, 2017) 91pp.

Tony Smith and J. Webb *Comprehensive Review of Legal Education and Training in Hong Kong: Draft Report of the Consultants* (Hong Kong Standing Committee on Legal Education and Training, 2017) 183pp.

2019 postgraduate course timetable

Our postgraduate (500-level) law courses vary from year to year and are designed to enhance your expertise across a broad range of current and emerging issues in law.

They offer a flexible approach to study, and include relevant career development opportunities for working professionals.

Our courses provide an opportunity to hone areas of specialisation, by allowing you time and space to reflect on the broader significance of your experiences as a scholar and/or practitioner in law, business or policy.

Learn more and apply at victoria.ac.nz/postgraduate-law

Intensive and block courses

Course	Coordinator	Points	Type	Dates and times
LAWS 544 Environmental Law	Associate Professor Catherine Iorns	20	BLOCK	Saturday 23 March 10.00am–4.00pm. Saturday 11 May 10.00am–4.00pm. Saturday 18 May 10.00am–4.00pm. Saturday 25 May 10.00am–4.00pm.
LAWS 551 New Zealand and Australian Intellectual Property Law	Professor Susy Frankel	10	INTENSIVE	Friday 29 and Saturday 30 March, 9.30am–4.00pm.
LAWS 530 New Zealand and Australian Copyright and Designs Law	Professor Susy Frankel	20	INTENSIVE	Thursday 11, Friday 12, Monday 15, Tuesday 16 July 10:30am–5:00pm.
LAWS 543 International Arbitration	Associate Professor Meredith Lewis	20	INTENSIVE	Wednesday 4, Thursday 5, Friday 6, Monday 9 and Tuesday 10 December, 12.40–6.30pm.

Weekly courses

Course	Coordinator	Points	Type	Dates and times
Trimester One <i>Classes run Monday 4 March–Friday 7 June, unless otherwise indicated.</i>				
LAWS 504 International Trade Law	Dr Guy Fiti Sinclair, Associate Professor Meredith Lewis and Dr Michelle Zang	30	WEEKLY	Thursdays, 4.40–7.30pm.
LAWS 531 Health Law	Professor Bill Atkin	20	WEEKLY	Thursdays, 8.30–10.20am.
LAWS 532 Reading Legal Classics	Professor Geoff McLay	20	WEEKLY	Mondays, 6.40–8.30pm.
LAWS 534 Feminist Legal Theory	Dr Zoë Prebble	20	WEEKLY	Wednesdays, 6.40–8.30pm.
LAWS 540 Law and Global Governance	Dr Guy Fiti Sinclair	20	WEEKLY	Wednesdays, 8.30–10.20am.
LAWS 546 Advanced Criminal Law	Professor Tony Smith	20	WEEKLY	Tuesdays, 8.30–10.20am.
LAWS 581 Advanced Legal Study	Emeritus Professor Tony Angelo QC	10	WEEKLY	Friday 8 March, 5.40–8.30pm. Saturday 9 March, 9.30am–1.20pm. Friday 15 March, 5.40–8.30pm. Saturday 16 March, 9.30am–1.20pm. <i>This course is also offered in Trimester Two.</i>

Weekly courses

Course	Coordinator	Points	Type	Dates and times
Trimesters One and Two <i>Classes run Monday 4 March–Friday 7 June and Monday 8 July–Friday 11 October, unless otherwise indicated.</i>				
LAWS 520 Comparative Constitutionalism	Associate Professor Joel Colón-Ríos	40	WEEKLY	Mondays, 4.40–6.30pm.
LAWS 521 Corporate Governance	Dr Matteo Solinas	40	WEEKLY	Wednesdays, 4.40–6.30pm.
LAWS 522 Human Rights Law	Professor Claudia Geiringer	40	WEEKLY	Tuesdays, 4.40–6.30pm.
LAWS 524 Global Issues in Intellectual Property	Professor Susy Frankel	40	WEEKLY	Trimester One: Tuesdays, 4.40–6.30pm. Trimester Two: Block dates to be confirmed.
LAWS 582 Legal Writing	Associate Professor Joanna Mossop	30	WEEKLY	<i>This course can be taken across any two consecutive trimesters.</i>
Trimester Two <i>Classes run Monday 8 July–Friday 11 October, unless otherwise indicated.</i>				
LAWS 533 Regulating Labour and Work	Professor Gordon Anderson	20	WEEKLY	Tuesdays, 8.30–10.20am.
LAWS 535 The Law and the Future	Sir Ken Keith and Sir Geoffrey Palmer QC	20	WEEKLY	Mondays, 8.30–10.20am.
LAWS 542 Crown–Iwi Relations	Dr Carwyn Jones	20	WEEKLY	Wednesdays, 6.40–8.30pm.
LAWS 545 International Law in the Asia-Pacific Region	Professor Alberto Costi	20	WEEKLY	Thursdays, 8.30–10.20am.
LAWS 547 Criminal Justice and Technology: Challenges and Opportunities	Associate Professor Yvette Tinsley	20	WEEKLY	Mondays, 6.40–8.30pm.
LAWS 548 Indigenous Land Issues in the Pacific and New Zealand	Professor Richard Boast QC	20	WEEKLY	Fridays, 8.30–10.20am.
LAWS 550 Internship	Kate Tokeley	20	WEEKLY	Thursdays, 4.40–6.30pm.
LAWS 581 Advanced Legal Study	Kate Tokeley	10	WEEKLY	Friday 12 July, 5.40–8.30pm. Saturday 23 July, 9.30am–1.20pm. Friday 19 July, 5.40–8.30pm. Saturday 20 July, 9.30am–1.20pm. <i>This course is also offered in Trimester One.</i>
Trimesters Two and Three <i>Classes run Monday 8 July–Friday 11 October and Monday 11 November–Friday 14 February (2020), unless otherwise indicated.</i>				
LAWS 525 International Commercial Contracts	Professor Petra Butler	40	WEEKLY	Dates to be confirmed. Go to www.victoria.ac.nz/course-finder for up-to-date information about this course.
LAWS 528 Contemporary Issues in Criminal Justice Policy	Dr Nessa Lynch	40	WEEKLY	Trimester Two: Wednesdays, 8.30–10:20am Trimester Three: Saturday 30 November, 9.30am–4.30pm.



VICTORIA LAW SUPPORTERS' CIRCLE

Championing excellence & innovation

The Faculty of Law at Victoria University of Wellington aims to promote legal scholarship of the highest quality, and to provide outstanding learning opportunities for our students.

We greatly appreciate those who support these efforts—for example, through scholarships, prizes or grants.

We would welcome the opportunity to talk with you about providing philanthropic support to the Law School.

Please contact Anna Burt, Development Manager—Law, on

📞 +64 4 463 6323 or

✉️ anna.burt@vuw.ac.nz

Thank you to the individuals and organisations who have generously supported the Faculty of Law in 2017–2018.

A.J. Park

Angela Hanson

Angela J. O'Meara

Audley W. Sheppard QC

Chapman Tripp

Cullen—The
Employment Law Firm

Derek Levett

Fleur Knowsley

The Rt Hon. Sir
Geoffrey Palmer QC

Google

Professor Graeme
Austin

Greenwood Roche

The Hon. Sir Bruce
Robertson QC

John Miller

John McLinden QC

LexisNexis

New Zealand Insurance
Law Association

Professor Petra Butler

Lady Annette Cooke

Ron Boyle

Sarah Grimmer

Wellington Women
Lawyers' Association

The Woodhouse Family

🌐 www.victoria.ac.nz/law

📍 [LawVictoriaUniversityofWellington](https://www.facebook.com/LawVictoriaUniversityofWellington)

✉️ lawnews@vuw.ac.nz

ISSN 2537-6764 (Print)
ISSN 2537-6772 (Online)