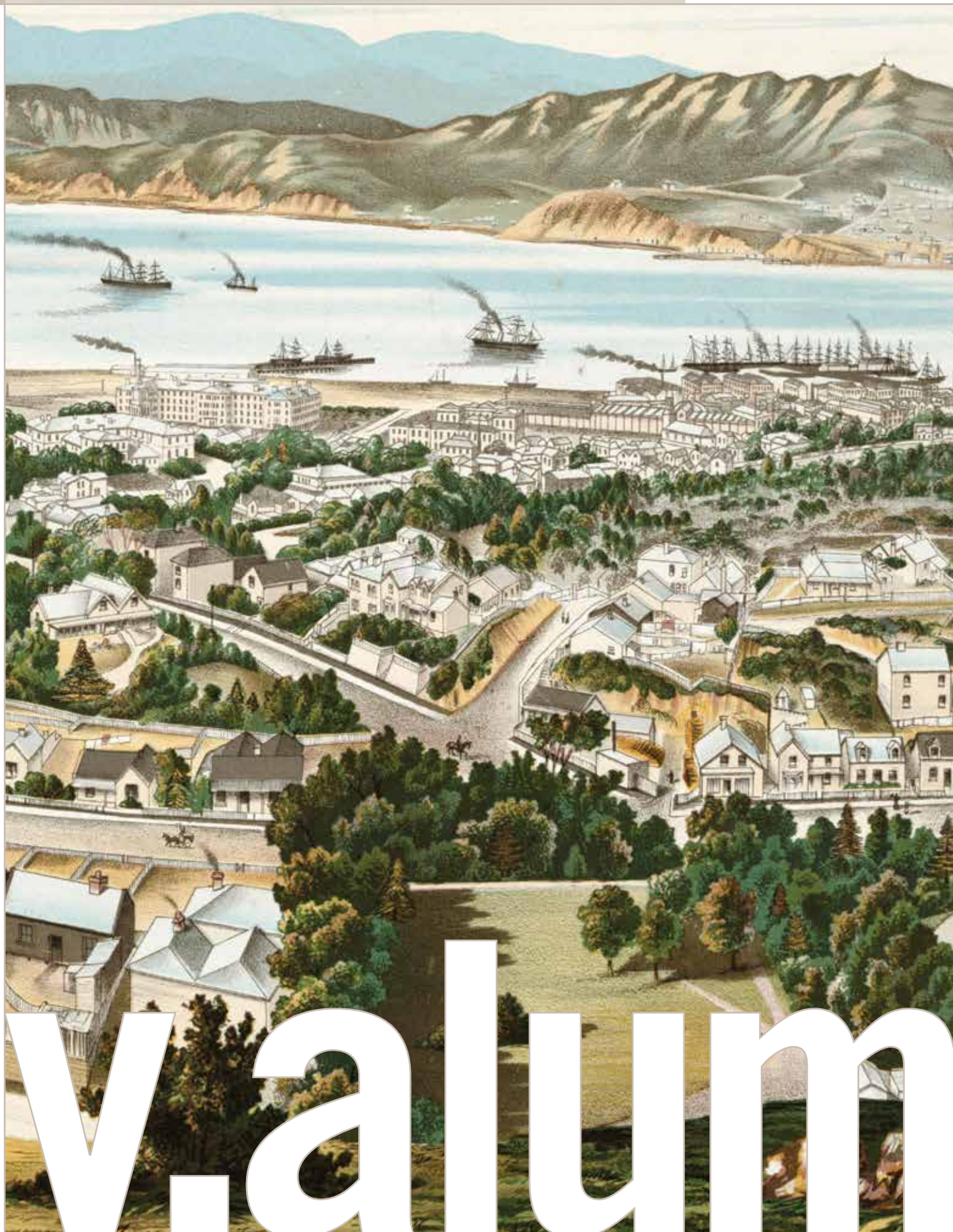


FACULTY
OF LAW

A YEAR IN REVIEW 2013



v.alum

From the Dean

Welcome to another edition of V.Alum

2013 has been an extraordinary year for the Faculty.

“Research-lead teaching” is a phrase that is employed a lot in the tertiary sector. In the recent Performance Based Research Funding (PBRF) round, we were judged the best law faculty in New Zealand for research.

This is significant in many ways. It is illustrative of a Faculty whose academics are intellectually engaged. This in turn means that students benefit from their vitality and enthusiasm for their subject and study becomes an intellectual adventure that challenges and enriches them.

We also perform well in international assessments. In the 2013 QS World University Rankings, we are in the top 20 law faculties in the world. To put that survey in perspective, 700 universities are ranked.

We are proud of these results and the prestige they give to all the hard work and rigour of the Faculty but they are not the only reason for studying and teaching here. Being a part of the Faculty at Victoria means belonging to the large family that is law, in the city where law is made. There is a rich and rewarding mix of formal and informal encounters with those who make the law, teach the law, practise the law and, above all, enjoy the law.

There are many communities within our legal family: academic staff and their specialist areas; students (debaters, mooters, LSS, Community Justice Project team members, hostel residents; alumni (judges, politicians, senior public service, practitioners) international visitors – and more.

A common thread is a sense of belonging, from students in the early years of their degrees to fifth-years, graduates and seasoned practitioners. There is a warmth about the environment: the beautiful historic building in which we work and the relationships that develop and sustain us.

It is something to cherish.

Professor ATH Smith
Dean, VUW Law Faculty



A YEAR IN REVIEW



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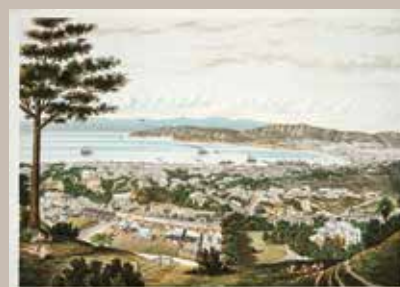


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Cover image:

William Potts, *City of Wellington, 1885*
ATL C-060005



OUR PLACE

Old Government Buildings holds a special place in Wellington's heart and has been sketched, photographed and painted throughout its history. A selection of these images can be seen in this issue of *V.Alum*

Digging deep: Unearthing New Zealand's constitutional traditions

From left:
Ken Keith
Claudia Geiringer
Philip Joseph
Geoffrey Palmer
Tony Smith



In August 2013, more than 100 academics, legal professionals, students, and members of the public met in Wellington to discuss the different traditions that shape New Zealand's constitutional order.

Historians and lawyers, both from New Zealand and abroad, engaged in fascinating debates about early colonial constitutional practices, about Māori constitutional traditions, about the distinctiveness of New Zealand's constitutional traditions when compared to those of other jurisdictions, and about the future of the country's constitution.

These discussions took place as part of the *Unearthing New Zealand's Constitutional Traditions* conference, organised by the New Zealand Centre for Public Law.

Thanks to the generous funding of the Law Foundation, the Centre was able to bring together speakers from all around New Zealand, Australia, and the United States.

The Centre has always been, and is, involved in regular symposia and public lectures concerning current constitutional issues and debates – most recently its debate series associated with the Constitutional Conversation convened by the Constitutional Advisory Panel (see page 8). The distinctive contribution of this conference

was its focus on our traditions of thought about the constitution: the *ideas* we make sense of through the use of government power, the moral and political *ideals* that we evaluate our constitutional practice against, and indeed the continual *practices* of constitution making and maintenance that play out in our political and legal system every day – which both shape and are shaped by the aforementioned ideas and ideals.

The conference began on Thursday, 29 August, with a welcome message from the Hon Chris Finlayson, who hosted the conference in the Parliament Buildings, and an opening address by the Chief Justice of the Supreme Court of New Zealand, the Rt Hon Dame Sian Elias. Dame Sian reflected on certain key moments of New Zealand's constitutional history, setting the perfect stage for the first Keynote Speaker, Emeritus Professor Andrew Sharp.

Professor Sharp presented a deeply interesting paper, titled "On the Idea of Tradition" which, among other things, argued that "discussions

that raise issues of sovereignty, the constitutive power of the people, and the importance of people's customs to them" should not be pursued to a definite conclusion. Instead, it might be better if the "community and government leaders continue in a tradition of 'political constitutionalism'".

Professor Sharp's lecture was followed by a plenary panel that explored some aspects of the origins of New Zealand's constitutional order, including legal transplants in early colonial times (Professor Shaunnagh Dorsett), Māori franchise before the establishment of the Māori seats (Dr Damen Ward), political constitutionalism in mid-nineteenth century New Zealand (Dr Mark Hickford) and the rich traditions of democratic participation in the 19th century exemplified by the 'Great Public Meeting' that took place in Nelson 1850 (Sir Geoffrey Palmer).

After lunch, the conference delegates reconvened for the second plenary panel, titled "Māori Constitutional Traditions", in which Dr Carwyn Jones, Dr Miranda Johnson, and Professor Richard Boast discussed some interesting aspects of Māori constitutional thought and of the legal debates surrounding the jurisprudence of the Native Land Court at the end of the 19th century and the beginnings

Sian Elias



Claudia Geiringer



of the 20th. The day ended with two excellent concurrent panels. One of the panels included papers from Dr Fiona Barker, Dr Kate McMillan, Edward Willis and Dr Petra Butler, which examined central aspects of democracy, constitutional legitimacy, and rights in the context of the country's constitution.

The other concurrent panel included papers that considered aspects of Māori constitutional thinking exemplified through a systematic examination of Māori language texts (Māmari Stephens), the constitutionalisation of environmental rights (Catherine Iorns), and the history of mediation in New Zealand (Grant Morris).

Day two of the conference began with a Keynote Address by Professor David Hackett Fischer. A Pulitzer Prize winner and author of *Fairness and Freedom*, a comparative history of New Zealand and the United States, Professor Fischer presented a paper titled "New Zealand's Constitutional Tradition: A Comparative Perspective". Focusing on the role of the idea of fairness in the country's constitutional history, Professor Fischer maintained that "[a] feeling that New Zealand is not as fair as it was in the past, has for many generations inspired a determination to make New Zealand more fair in the future", and that "this process is a

fundamental part of New Zealand's history and its constitutional traditions".

Professor Fischer was followed by a plenary panel on "Constitutional Traditions and the Crown", in which Dr Kirsty Gover, Professor Geoff McLay, and Professor David Williams discussed various aspects of the relationship between Māori and the Crown, and of the way the powers of the Crown have been conceived in New Zealand and Australia.

This was followed by two concurrent panels: "Early Constitutional Steps and Choices" and "Constitutional Legitimacy". These panels included papers by Ben Gussen, Peter McKenzie QC, Dr Stephen Winter, and Gay Morgan on subjects such as New Zealand's provincial system in the mid-19th century, Sir William Martin's place in the country's constitutional history, transitional justice in New Zealand, and the prospects of a written constitution.

A plenary panel followed, in which Professor Janet McLean examined three arguably conflicting constitutional traditions that have nevertheless been accommodated in our written constitution (and that are reflected in the Constitutional Review terms of reference), and Dr Matthew Palmer argued in favour of an approach that would help us to assess the

strength of the rule of law in New Zealand. Each of the papers presented at the conference contributed in a distinct way to the understanding of New Zealand's constitution. A selection of these papers will be published in 2014 in a special issue of the *New Zealand Journal of Public and International Law*.

The final event of the conference was a reflection from four of New Zealand's most renowned jurists: Sir Kenneth Keith, Sir Geoffrey Palmer, Professor Tony Smith, and Professor Philip Joseph. This reflection gave way to an interesting debate about the future of our constitution and provided the perfect end to the conference.

By discussing how the ideas, ideals, and practices in which our constitution is based have played out over the years, looking at them from the varying perspectives of history, politics, and law, this conference shed further light on – 'unearthed' – what we value as a society, what we actually do, and what we might do differently.

The Director of the Centre for Public Law, Professor Claudia Geiringer, said: "My warmest congratulations go to Joel Colón-Ríos and Mark Bennett, who organised such a vibrant and successful event."

Making a difference: The NZ Law Foundation Regulatory Reform Project



The multi-disciplinary, multi-year, million dollar New Zealand Law Foundation Regulatory Reform Project has completed its work, published books and created an online resource that will benefit all New Zealanders.

The multi-disciplinary research team was led by Professor Susy Frankel of Victoria University Law Faculty, and included experts from the Law Faculty, the New Zealand Institute of Economic Research and law firm Chapman Tripp.

The New Zealand Law Foundation launched the project in 2010 because the subject of how to achieve effective regulatory reform is so important, yet under-researched in a New Zealand-specific context. This project has changed that, bringing together local and international expertise to drill deep and wide on issues of regulatory reform.

“As New Zealand’s only truly independent funder of legal research, the Law Foundation is the only body that can support major, multi-year research projects like this. Our projects are not connected to political or commercial agendas, but can deliver real value for New Zealanders”, says NZLF Chief Executive, Lynda Hagen.

In addition to the financial support, the Regulatory Reform Project has been assisted by the Wellington community, including Government ministers and officials (particularly

from Treasury and MBIE) and interested businesses and members of the public. Throughout the project these interested parties have worked closely with the project research team and have provided feedback on draft papers and participated in workshop discussions. This has ensured the up-to-date and timely approach of the research as well as making sure it complements and does not replicate the work of government and others.

Effective regulation is a government priority because of its vital economic and social importance. Good regulation affects so many aspects of our lives including the cost, quality and safety of virtually everything we use and consume. Poor regulation can have disastrous consequences, as evidenced by the global financial crisis and, closer to home, the leaky building crisis.

“As an open, globally connected and trade-dependent society, New Zealanders expect first-world regulatory standards, yet our small size makes it difficult to sustain complex regulatory mechanisms used in other developed economies,” says Professor Susy Frankel.

The project started with asking questions about New Zealand and regulation. Those questions included: “Is there something unique about New Zealand, and, if so, how should regulation recognise and reflect those features of New Zealand?” The project tackled this broad question and the many issues it gives rise to through multiple streams of interdisciplinary research. An initial series of essays analysed and framed the underlying issues, published as *Learning from the past: Adapting for the Future: Regulatory Reform in New Zealand* (Lexis Nexis, 2011). This book was launched by the then Minister of Regulatory Reform, the Hon John Banks. It draws out specific learnings from New Zealand’s regulatory experience and uses those issues to frame detailed paths of research to improve the future of regulation. Topics addressed included competition law, the electricity and telecommunications industries, regulatory management, the ambit of judicial review, tax, property rights, intellectual property rights, consumer law, consumer credit regulation, regulatory failure in the building industry, trans-Tasman and Asian integration and other trade arrangements, the role of human rights in regulation and public participation in regulatory processes. These papers were discussed in workshops as they developed. The project utilised workshops throughout to ensure a continuous dialogue with interested parties.

Opposite page, from left:
Neil Quigley, Pro Vice-chancellor
(Research); Lynda Hagen;
Dr Andrew Butler (Chair, NZ Law
Foundation); Bill English;
Susy Frankel

This page, clockwise from top left:
Bill English
Susy Frankel
Lynda Hagen and
Professor Susy Frankel.
From left:
Andrew Butler, Susy Frankel;
Bill English; Neil Quigley



The next published stage of the project was an essay collection, *Recalibrating Behaviour: Smarter Regulation in a Global World*, launched by Sir Geoffrey Palmer at a conference of the same name in April of this year. The book provided further analysis of the issues framed in the first book. The essays were grouped in four parts: Regulation and Global Connectedness; the Public Voice and Consumer Behaviour; the Careful Art of Reducing Uncertain Outcomes; and the Institutions of the Regulatory Regime.

Each essay provides a series of recommendations for progress in particular areas of regulation and each chapter includes analysis of the project's cross-cutting themes developed from the New Zealand-focused questions, which framed the project from the outset. These will be published as another book in early 2014.

The titles of theme papers are:

- ▣ Features of the Uniqueness of New Zealand and their Role in Regulation
- ▣ Voyage of Discovery: How do we bring Analytical Techniques to State-driven Behaviour Change?
- ▣ Learning the Way Forward? The Role of Monitoring, Evaluation and Review
- ▣ Experimentation and Regulation
- ▣ Certainty and Discretion in New Zealand Regulation

The conference *Recalibrating Behaviour: Smarter Regulation in a Global World* enabled participants from New Zealand and overseas to debate the outputs of the project and contribute to the analysis of the cross-cutting themes. "The conference advanced the dialogue on regulatory reform in New Zealand," says Professor Susy Frankel.

Keynote speakers were Professors Fiona Haines and Jonathan B. Wiener.

Professor Haines is from the School of Social and Political Sciences at the University of Melbourne, where she teaches in the area of corporate and white collar crime, regulation and compliance as well as the sociology of crime and deviance. She delivered a paper: "The Paradox of Regulation: What Regulation Can Achieve and What it Cannot."

Professor Wiener is the William R. and Thomas L. Perkins Professor of Law at Duke Law School, Professor of Environmental Policy at the Nicholas School of the Environment and Professor of Public Policy at the Sanford School of Public Policy at Duke University. He has written widely on US, European and international environmental law risk regulation and used that knowledge to address issues relating to regulating around and for risk.

Video of the conference is available in the Regulatory Reform Toolkit.

All of the published works of the project, including papers that address the cross-cutting themes, have contributed to the online regulatory toolkit. The Regulatory Toolkit provides anyone interested in quality regulation with easily available, free information to help analyse regulatory problems, as well as user-friendly access to detailed research about regulation. The toolkit was formally launched on 4 July by Finance Minister Hon Bill English and can be found at **[www. regulatorytoolkit. ac. nz](http://www.regulatorytoolkit.ac.nz)**.

Professor Frankel says that while we can learn lessons from overseas, New Zealand's regulatory framework has to suit our own circumstances – it must take account of factors such as our small population, our open, trade-dependent economy and the relatively small size of most of our businesses. But at the same time, global connectedness is critical to our interests.

"This toolkit will be valuable to policy-makers, but it's not just for them – anyone with an interest in regulation will find it useful, including corporates, students and advocacy groups. You can't purpose-build a complete regulatory regime of laws and institutions in a small country. New Zealand is globally connected, and borrows all the time. We don't purport to solve all the problems of global regulation, but our work provides resources for helping develop effective regulation in this country."

A sense of proportion: The 2012 Robin Cooke Lecture

Mary Arden
ATH (Tony) Smith



On 20 March 2013, The Rt Hon Lady Justice Arden DBE, Member of the Court of Appeal of England and Wales, delivered the 2012 Robin Cooke Lecture: “Press, Privacy & Proportionality”.

Dame Mary Arden’s lecture examined the emergent concept of “proportionality” as a ground of judicial review in English Law in the context of the proposals current in the United Kingdom for increasing the strength of press regulation.

Starting with Lord Cooke’s suggestion in *Moot* [2010] UKHL 26 that the leading case in *Moot* [1948] 1 KB 223, was “an unfortunately retrogressive decision”, Dame Mary examined the Report of her Court of Appeal colleague Lord Justice Leveson, which was prompted by the revelation that the press were engaged in wide-ranging forms of illegality.

Wrongdoing was by no means confined to members of the press; private detectives had been employed who not only engaged in phone-hacking, possibly with the knowledge of the publishers (several of whom are currently on trial in London, one of them for a time having worked for the Prime Minister in Downing Street). Police and civil servants had been bribed to provide information that would not otherwise have been available as each

newspaper sought to outdo its rivals. The Leveson Report recommended the creation of a new voluntary system of self-regulation that had a “statutory underpinning” whose efficacy might be enhanced were the courts to be given powers to impose costs and exemplary damages were the press to seek to deal with complaints (primarily about breaches of privacy) outside the voluntary system, which has now been implemented by the Crime and Courts Bill 2013.

The idea of “proportionality” as a ground of judicial review plainly emerges from the jurisprudence of two European Courts; the European Court of Justice which sits in Luxembourg, having jurisdiction over European Union Law (it was originally the European Economic Community that was joined by the United Kingdom, but that body has metamorphosed gradually into a very different sort of political union.

The other body is the European Court of Human Rights, which sits in Strasbourg, whose membership runs far wider than the 28 member states of the European Union. This became part

of the United Kingdom’s domestic Law when the Human Rights Act 1998 came in to force in 2000, bring with it a whole body of jurisprudence that the common law was to be required to accommodate.

Dame Mary examined the jurisprudence of the ECHR through the recent decision of the Strasbourg Court in *Moot* [2012] ECHR 227 in which the Court articulated its reasoning on proportionality “with great clarity”. The national court had prevented the publisher from giving details surrounding the arrest of a well-known German actor who had been arrested at a beer festival in possession of a moderate amount of cocaine.

At stake were Articles 8 and 10 of the Convention, protecting private and family life and freedom of expression which, as often happens in this context, appear to conflict. The European Court explicitly adopts a proportionality, “balancing” test weighing the “public interest” against a number of other factors, and held that the injunction violated the publisher’s interests under Article 10.

More important for Dame Mary’s purposes were the contrasts that can be drawn between *Moot* review on the one hand, and proportionality on the other. They have very different methodologies and different objectives. *Moot* is directed at seeing that the decision has been



made within the law whereas proportionality is directed to seeing that the ends of the administrative decision justify the means that are being used to attain those ends. This means that the courts are far more involved in the issue between the parties in proportionality reviews, which require a deep analysis of the evidence. The Strasbourg court makes up its own mind about the restriction on publication, and does not ask merely whether the decision fell within the 'range of reasonable decisions open to the decision-maker'.

A number of advantages can be identified in the use of proportionality. The test is "logical, principled and structured. It places great weight on the articulation of the court's reasons for its conclusions. A test of this kind is more likely to produce a more consistent and coherent body of law". Proportionality effectively shifts the burden to the state to establish that an interference with the applicant's rights was justified, and is likely to be more conducive to raising the standards of decision-making than is the *Moot* test.

Dame Mary observed that "it would enhance the consistency of English law if the courts had just one general test for judicial review, whether or not the case involved an issue of European Union or human rights" and concludes that "it is inevitable that judicial review in England and

Wales will move towards a generalised test of proportionality" – but making it plain that she might reach a different conclusion were the issue to arise before her in her judicial capacity, when she would "decide the issue on the basis of the cases then presented".

She also drew attention to the constitutional factors that are at work, and the fears that too intrusive a review might unnecessarily curtail the proper exercise of ministerial powers – there is no reason why the courts "should not be able to work out variations in the level of intensity of review so that the test becomes case-sensitive".

A further consideration that is advanced as adding to the attractiveness of a proportionality review is that it "would increase the influence of English law in Europe if our courts were able to make a contribution to the law on proportionality review based on their domestic experience". Other common law jurisdictions (Australia, Canada and New Zealand) must decide for themselves how far considerations such as these, which are absent in their own domestic circumstances, mean that we should diverge from the path now being pursued in the home of the common law.

A.T.H. Smith



Heartland: A series of constitutional debates

Top left:
Steven Price
Janet McLean
Michael Mabbett
Lewis Holden
Bottom left:
Steven Price
Claudia Geiringer
Stephen Whittington
Jack Hodder
Margaret Wilson



What should our country's constitution look like? Should the Bill of Rights be supreme law? What is the place of the Treaty of Waitangi? Should we have a four-year parliamentary term? Should we become a republic?

These are some of the curly questions facing the Government's Constitutional Advisory Panel, set up to lead a national conversation about our constitutional arrangements. Aiming to help kindle public discussion, the New Zealand Centre for Public Law teamed up with Radio New Zealand and the New Zealand Law Foundation to host a series of debates about these issues.

As the Centre's director, Professor Claudia Geiringer, put it, "New Zealand doesn't discuss these matters much, but they go right to the heart of the way we govern ourselves."

The debates were held before live audiences of up to 120 in April and May, and later broadcast on Radio New Zealand.

To set the scene, Professor Geiringer and Dr Carwyn Jones introduced each debate by providing background information about the topics to be discussed. A distinguished panel of experts then presented their views. Adjunct lecturer Steven Price acted as MC and moderated discussion between the experts. At the end, there were questions from the audience.

The first debate asked "What's the problem"? It looked at the overall purpose of the review and wondered whether the right questions were being asked and process followed. The panellists were Professor Bruce Harris, Dame Claudia Orange, Dr Matthew Palmer and Dr Carwyn Jones.

The second debate was about "Reforming our democratic institutions", and looked at the term and size of Parliament, the size and number of electorates, and issues relating to Māori electoral representation. The panellists were Dr Maria Bargh, Colin James, Professor Elizabeth McLeay, and Sir Geoffrey Palmer QC.

The third debate was a little different. It was called "Māori aspirations for constitutional change" and was held at Te Herenga Waka Marae. The debate explored the discussion on constitutional issues within Māoridom, including alternative conceptions of Māori-Crown relationships, and the development of a kaupapa Māori or tikanga-based constitution. Panellists were Tai Ahu, Dr Rawinia Higgins, Veronica Tawhai, and Valmaine Toki.

The fourth debate was about "Human rights in the constitution", and examined, in particular, the role of the Bill of Rights. Should it be entrenched and supreme law, capable of being used to strike down other laws? Should we have it at all? What should it include? Panellists were Jack Hodder QC, Stephen Whittington, Professor Margaret Wilson and Professor Geiringer (with a recorded contribution from Professor Andrew Geddis, whose flight was unfortunately cancelled).

The final debate was "Time to be a Republic?" Panellists Professor Janet McLean, Michael Mabbett and Lewis Holden discussed whether (and if so, when and how) we should replace the Queen as our head of state.

Each debate lasted 90 minutes, and it is impossible to do justice to the range and quality of the ideas advanced by the panellists (and the audiences). But it is fair to say that most of the issues are highly contentious ones. The debates about the republic and the role of the Bill of Rights Act were particularly lively.

Still, there was unanimous agreement about one thing: that the national conversation had to be informed by a proper understanding of the operation of our constitution. There was also a good deal of scepticism that this understanding exists. One of the strongest themes of the debates was a call for better civics education.



Another theme that permeated the debates was the vexed question of the place of the Treaty of Waitangi. For the participants in the third debate, the Treaty was just one aspect of a broad roots-and-branch inquiry into the values that ought to be embodied in our constitution. For some audience members, the Treaty symbolised divisive and unjustified race-based preferences. It was quickly apparent that a Government panel seeking consensus faces a stiff task indeed.

Feedback from the debates suggested that audiences were pleased to learn about the constitution and appreciated the chance to hear eminent speakers present a range of stimulating ideas. The format allowed the panellists to develop their thoughts in a way that transcended the usual media sound-bite culture.

In the end, the debate series may not have provided many answers, but it helped audiences understand the

questions a little better, and perhaps showed that thoughtful dialogue is possible, despite the complicated and contentious nature of the issues.

The debates are available for download from the Radio NZ National website or from the

New Zealand Centre for Public Law events page: www.victoria.ac.nz/law/about/events/past-events.

The Faculty particularly wishes to thank the New Zealand Law Foundation for its generous support of the event.



Explorers of land tenure: The Boast Marsden Project

Ryan O'Leary
Richard Boast
Ruiping Ye



The Boast Marsden Project involves research with its roots in 19th century New Zealand and extends to the Pacific Rim and beyond.

IT IS SOMETIMES BELIEVED that the changes to land tenure in 19th century, especially the establishment of the Native Land Court and the individualisation of Māori customary land tenure, were unique to New Zealand.

In fact what happened in New Zealand has many similarities to changes to land law in a number of countries around the Pacific Rim in the 19th century, including Mexico, Guatemala, Chile, Hawai'i, Taiwan, and the Philippines.

How can these similarities be explained? This project will consider the background to these ideas and their implementation in a number of different countries. Underlying these trends were debates about land tenure and modernisation that go back to the European Enlightenment and beyond.

Ruiping Ye, Ryan O'Leary and Professor Richard Boast are working on this project, which will eventually result in a number of articles and papers and a book by Professor Boast.

The book will look at similarities between the various systems of land tenure which developed in countries in Latin America, and compare the outcomes of the 19th century tenurial

revolutions in Spanish America and the Pacific, and also look at the commonalities between some of these systems and developments in New Zealand.

Richard Boast is a professor at Victoria University and has longstanding interests in legal history and land tenure. He has recently published a new book on the decisions of the Native Land Court in the 19th century.

Ryan has an Honours degree in history from Victoria and is carrying out research in support of this project. He is predominantly looking at 19th century New Zealand sources at this stage, which so far consist of newspapers, various pamphlets in the Alexander Turnbull library, and the New Zealand Parliamentary Debates.

At present, the goal is to get a better understanding of the very lively debate that took place in New Zealand at the time, and which is richly documented in primary sources, including letters and articles in newspapers. Obviously, the issue of Māori land features heavily in these sources, but what is equally noticeable is the prevalence of debate on older European ideas on land tenure and how some of these ideas remained relevant to contemporary

New Zealand society. Colonial New Zealanders seem to have been well-informed about issues of land ownership in the Roman republic, about the ideas of the English revolution, the political thought of J S Mill, and contemporary developments in Ireland, Scotland and the Australian colonies.

Later Ryan will move on to overseas material, especially material from the United States and Latin America.

The project also provides a scholarship for a PhD student to study the land tenure changes in one jurisdiction in Asia or Latin America. The recipient of the scholarship is Ruiping Ye, who completed an LLM (*Distinction*) at Victoria and who also holds a Chinese law degree.

Ruiping began her study in June and is studying the aboriginal tenurial changes in Taiwan during the period of the Chinese Qing rule (1684-1895). Comparisons will be drawn between tenurial changes during the Qing period and the period of Japanese colonial rule in Taiwan (1895-1945).

The Taiwanese land tenure system evolved slowly during the Qing rule, but the Japanese colonial government swiftly modernised the land law regime. One effect of this rapid modernisation was substantial land loss by the aborigines within a very brief period of time.

A gift of light: The legal Māori dictionary

Māmari Stephens
Tai Ahu
Bottom:
Richard Benton
Tai Ahu
Māmari Stephens



New Zealand's legal history is bilingual. From the earliest missionary-led translations of the New Testament in the early 19th century, the Māori language has been used to communicate Western legal ideas.

“Nearly two centuries later there now exists a significant legal vocabulary in Māori that has much to teach scholars of law and language in this country about the intersection between Māori and Pākehā legal thinking and expression. This dictionary reveals just how Māori legal thinking has been, and still is, expressed within the Māori language,” says Senior Lecturer, Māmari Stephens.

He Papakupu Reo Ture: A Dictionary of Māori Legal Terms is the latest result of a five-year research initiative—the Legal Māori Project—headed by Māmari Stephens, and Dr Mary Boyce from University of Hawai‘i, Mānoa Campus.

Its launch in May 2013 was preceded by a seminar discussing some of the research undertaken in the creation of the dictionary and over the course

of the Legal Māori Project. Entitled ‘*Te reo Māori and law: taking stock*’, its speakers included Professor Richard Benton, Assistant Lecturer Tai Ahu and Māmari Stephens.

The Legal Māori Project research team comprised 48 researchers, reviewers and advisors over the course of the Project. On the way to creating the dictionary, the team also created the Legal Māori Corpus, a digitised collection of thousands of pages of legal and law-related texts in the Māori language dating from between 1828 and 2009, as well as a digital archive of historical Corpus texts, the Legal Māori Archive. “This Project has managed to reflect the fact that New Zealand’s legal history is bilingual,” says Māmari Stephens.

Dean of Law, Professor Tony Smith, says:

“The dictionary will help eradicate at least one barrier to the contemporary use of the Māori language in the legal domain: the lack of a widely disseminated and generally available legal vocabulary for use in any legal forum.”

The Project received funding of more than \$800,000 from the Ministry of Business, Innovation, and Employment; the Victoria University Library Contestable Fund; and the University Research Fund.

The next step for the Project team is making *He Papakupu Reo Ture: A Dictionary of Māori Legal Terms*, and other resources, available online by mid-2014, with the assistance of funding from the New Zealand Law Foundation.

He Papakupu Reo Ture: A Dictionary of Māori Legal Terms won the Te Reo category in the 2013 Nga Kupu Ora, Aotearoa Māori Book Awards. Its citation reads: “We are honoured to be able to celebrate your contribution and inspiration to others in bringing Māori literature into the world of light.”

Ruiping’s study will examine the aboriginal land policies adopted by the Qing government, and explore reasons behind the policy-making. Issues that will be explored include:

- ▣ How did the Qing government view the aborigines and their aboriginal land rights?

- ▣ To what extent was the Qing rule of Taiwan “colonisation”?
- ▣ If the Qing rule of Taiwan was “colonisation”, how was it different from or similar to the Western style of colonisation?
- ▣ How would the different legal system of the

Qing have shaped its approaches to the aborigines and their land rights?

Ruiping’s thesis purports to answer these questions, and aims to provide a supplement to the big picture of the tenurial changes around the Pacific Rim.

Going strong: the *Māori Law Review*

Eileen Luna-Firebaugh
Julia Whaipooti
Carwyn Jones



2013 has seen the *Māori Law Review* develop its voice through several new initiatives.

The *Māori Law Review* formally re-launched in 2012, under a new association with Victoria's Faculty of Law and with co-editors Craig Linkhorn, a Senior Crown Counsel, and Dr Carwyn Jones, a lecturer at the Faculty of Law.

During August, the *Māori Law Review* hosted an Indigenous Law Speaker Series. Held at the Law School, this comprised four lunchtime seminars focusing on legal issues of particular relevance to Māori and other indigenous peoples.

The series began with Dr Carwyn Jones' seminar discussing the issues relating to the Treaty of Waitangi settlement process and its effects on Māori legal traditions.

The second speaker was Eileen Luna-Firebaugh, Toi huarewa Visiting Indigenous Fellow. Eileen is Associate Head of the American Indian Studies Program and Associate Professor at the University of Arizona. She is the author of *Tribal Policing: Asserting Sovereignty, Seeking Justice* (University of Arizona Press), and is also a Justice of the Colorado River Indian Tribal Appellate Court. Eileen spoke about a national research project that she is engaged in, which focuses on the criminal justice barriers to the higher education of American Indian juveniles.

The third speaker in the series was Kayla Kingdon-Bebb, also a recent visitor at the Faculty. Kayla is a PhD student from the University of Cambridge. While visiting the Faculty, Kayla has been working on her thesis, which is a study of changes made over time to the land tenure systems of self-governing First Nations in British Columbia. As part of the Indigenous Law Speaker Series, Kayla spoke about her research and particularly issues around indigenous self-government in modern treaty settlements.

The final speaker in the series was the well-known Māori scholar and advocate, Moana Jackson. Moana delivered a typically engaging presentation on constitutional transformation and the work of the Independent Constitutional Working Group Matike Mai Aotearoa, which, over the last two years, has held hundreds of hui with a range of Māori groups and organisations to discuss issues of constitutional change. Following his seminar, Moana also spent some time with members of Ngā Rangahautira, the Māori Law Students' Society at the Faculty.

The *Māori Law Review* also convened a symposium in June on the topic of 'The Treaty of Waitangi and the Constitution'. This

symposium was designed to encourage discussion around the Treaty of Waitangi in the context of the Government's 'Consideration of Constitutional Issues' and feed into the programme of community engagement that was undertaken by the Constitutional Advisory Panel this year. The symposium included presentations from legal academics Sir Geoffrey Palmer and Māmari Stephens, political commentator Colin James, and *Māori Law Review* Co-Editor Craig Linkhorn. The symposium also included a panel of Victoria law students (Duran Moy, Marama Broughton, Emma Smith, Julia Whaipooti, and Amy Dixon) who provided their views on the Treaty's role in New Zealand's constitutional arrangements. Constitutional Advisory Panel member Professor Linda Tuhiwai Smith concluded the day with some reflections on the discussion at the symposium and 'The Constitutional Conversation' more broadly. This symposium was generously supported by Buddle Findlay, the Constitutional Advisory Panel Secretariat and the New Zealand Centre for Public Law.

In 2013 the *Māori Law Review* welcomed Professor John Borrows to its team of consulting editors. Professor Borrows is Anishinabe/Ojibway and a member of the Chippewa of the Nawash First Nation in Ontario, Canada. He is the Robina Professor in Law, Public Policy and Society at the University of Minnesota Law

Faculty on Facebook



In August, the Law Faculty launched its Facebook page – at <http://goo.gl/4fPhQV>. The Faculty page is still in its infancy, with close to 700 people internationally who ‘like’ it. It is hoped this number will grow with each annual intake of students.

Most of the people who access the page are women aged between 18 to 24. Most are from New Zealand, but there are a few from Bangladesh, Egypt, Singapore and Sweden.

The page has become a forum for staff and students to interact and to keep both them and alumni updated with what is happening not just at Law School, but across the whole university.

The Faculty previously communicated information and events via the Law Students’ Society (LSS) Facebook page. It is now working

closely with the LSS to ensure that information is being shared and reaching both audiences.

The Law School has played host for a number of events over the last few months. Invitations, photos and highlights from these have been posted on the Facebook page and given students an insight into Faculty life, other than teaching.

Other posts include a spotlight on what academics get up to when they are on conference or research study leave. As part of a series on ‘Academics Abroad’, a photo of Petra Butler was posted whilst she was teaching a short course at the Universidad de Navarra in Pamplona. She showed her class the page, resulting in a couple of ‘likes’ from those students.

The page has helped publicise the achievements of students outside the area of law. One of the

most popular posts to date, which reached over 4,000 people, was a feature on Te Wehi Wright, who won Māori Sportsperson of the Year for his rugby union and touch rugby sportsmanship.

The Victoria University Facebook page, which has over 18,000 “likes”, proved invaluable over “Quake week” in July when the Pipitea campus was closed. It was an immediate and efficient way of reaching large numbers of students and staff and keeping them up to date with what was happening around the university - and for them to reach out and ask any questions.

With the potential to reach close to 1,000 new ‘likers’ at the start of next year, the Faculty is excited about the continued success of the page and maintaining a social media presence.

Kristina Keogh

School. He is a distinguished scholar who is held in high regard in the indigenous law world and provides an important international perspective to the work of the review.

The continuing development of the *Māori Law Review* can also be seen in its new partnership with Buddle Findlay, which will assist the Review to increase reporting and analysis of legal developments affecting Māori, and further strengthen links with the profession.

Law students have played an important role in the work of the *Māori Law Review* over this last year. A Student Editor position was established with Erin Carr the first in that role, organising and leading a team of student volunteers who have assisted with the preparation of case digests for the Review.

Kohe Ruwhiu (Ngāpuhi), who is studying towards a Bachelor of Law and Bachelor of Commerce (in Economics and Finance), has recently been

appointed the Student Editor for 2014.

In November 2013, the *Māori Law Review* also celebrated its 20th anniversary. This was an opportunity for reflection on the work of the Review over the last 20 years and to consider the growth and development of the importance of matters Māori within New Zealand law.

The Review is looking to continue its role as an authoritative voice in this area.

50 years young: The New Zealand Universities Law Review



The *New Zealand Universities Law Review* (NZULR) celebrated the 50th year since its first publication with a Special Anniversary edition, edited by Professor Tony Smith.

ONE OF NEW ZEALAND'S EARLIEST law reviews, then, as now, *The New Zealand Universities Law Review* is a joint venture between the country's law faculties. It has published many of the country's leading academic and legal authors and leads debate in legal matters. The theme of the anniversary

issue is taken from a Māori saying: *Nga tapuwae o mua, no muri* ('Footprints of the past, to guide [influence, navigate, inform] the future').

Contributors from the Faculty include:

- ▣ Professor Bill Atkin, "Fifty Years of New Zealand Family Law";
- ▣ Carwyn Jones, "Tawhaki and Te Tiriti: A Principled Approach to the Constitutional Future of the Treaty of Waitangi";
- ▣ Associate Professors Elisabeth McDonald and Yvette Tinsley, "The Law As It Should Be When Prosecuting Sexual Offences: The Contribution of Legal Academics to Law Reform";
- ▣ Sir Geoffrey Palmer, "Constitutional Reflections on Fifty Years of the Ombudsmen in New Zealand";
- ▣ Sir Kenneth Keith, "New Zealand and International Law: 1963-2013";

- ▣ Professor ATH Smith, "Fifty Years of Legal Education in New Zealand 1963-2013: Where To From Here?";
- ▣ Māmari Stephens, "A Loving Excavation: Uncovering the Constitutional Culture of the Māori Demos";
- ▣ Associate Professor Yvette Tinsley, "Science in the Criminal Courts; Tool in Service, Challenge to Legal Authority or Indispensable Ally?"

Former Faculty member Don Mathieson QC has the distinction of being published in both the first edition of NZULR ("Australian Precedents in New Zealand Courts") in August, 1963 and the Special Anniversary issue. Other contributors to Vol 1, No 1 include G P Barton ("The Chancery Master"); B D Inglis ("Evidence of Adultery") and Sir Alfred North ("Parliaments and Great Councils").

A half-day seminar was held to celebrate the relevance and longevity of the publication and many of the contributors spoke at it.

"The seminar and the Special Anniversary had a focus on new and emerging scholars," says Professor Tony Smith. "This is in keeping with the theme of looking to the past and, at the same time, forward to the future. The quality of their contributions bodes well for the outlook of the legal academy in this country."



NZULR Special Anniversary edition
editor Tony Smith

Our place in postcards



A day in the life of a research-intensive Law School

Graeme W. Austin, Associate Dean (Research) and Chair of Private Law provides a snapshot of a day in the life of the Victoria Law Faculty, focusing on the research activities of his colleagues. This article is adapted from Graeme's Introduction to the 60th Anniversary edition of the Victoria University of Wellington Law Review.



"What's legal scholarship?" For almost every legal academic, this will be a familiar question. It was most recently asked of me by a senior solicitor during a Wellington social event. This

question, which often follows customary icebreaking pleasantries, was prompted by my characterisation of law faculty positions as requiring around 40% of time to be devoted to teaching, 40% to legal scholarship, and 20% to institutional and public service. Only the reference to "legal scholarship" provoked further inquiry.

I have tried to answer this question by asking my Faculty colleagues what they were doing on a particular day – 17 October 2013. The choice of day was partly arbitrary, but I deliberately chose a day that was still within the teaching period.

On 17 October, 21 law classes were taught at the Law School, including large compulsory or quasi-compulsory classes, such as Torts, Criminal Law, Property, and Evidence as well as a number of more specialist offerings. In addition, 43 tutorials ran that day, mostly taught by student tutors who work closely under the supervision of the permanent Faculty (who are also responsible for crafting the tutorial problems, integrating the tutorial programme with the large classroom instruction, and drafting detailed teaching notes).

As will be seen below, a significant amount of research activity was also occurring that day, a reality of Law School life that underscores the deep links between scholarship and teaching. To have interesting things to say in the law classroom demands the same kind of intellectual engagement and expertise that characterizes the best legal scholarship. So what exactly was happening in the Law School buildings on 17 October 2013? Here is a snapshot.



That morning, **Tony Angelo** was meeting with research assistants assisting him with the second edition of the *Seychelles Digest*, the only scholarly work that focuses on

the Seychelles. He also worked on the new edition of the *Mauritius Private International Law*. Later in the day, he worked on a chapter about Mauritius for a new book on endangered legal systems, scheduled for publication in early 2014.

Tony Angelo's work on 17 October was also directed toward another important aspect of VUW's contribution to legal research: the work of our growing cohort of doctoral and research-based masters students. Tony directs our PhD programme. At any one time, the Law Faculty is home to 16-20 PhD candidates, from New Zealand and across the globe, who are attracted to Victoria for the expert supervision provided by our Faculty on a diverse range of topics, including "Copyright and the Rights of the Visually Impaired", "Conflict of Laws and Private Ordering", "Land Tenure in Taiwan", and "Alternatives to Prison for Adult Sex Offenders".



Meanwhile, **Gordon Anderson** was working on a draft chapter of his new book, *Employment Law in New Zealand*. This text will provide a comprehensive analysis of employment law

while also serving as a teaching tool. To that end, Gordon initiated a meeting with his Employment Law class representative (students are elected by their peers to serve in this role) to solicit students' view as to how the course might be adapted in the light of this new text. Gordon is also director of our growing LLM programme, which includes a number of candidates who are completing their degrees through independent research programmes, or a combination of

independent research and an increasing array of taught courses.



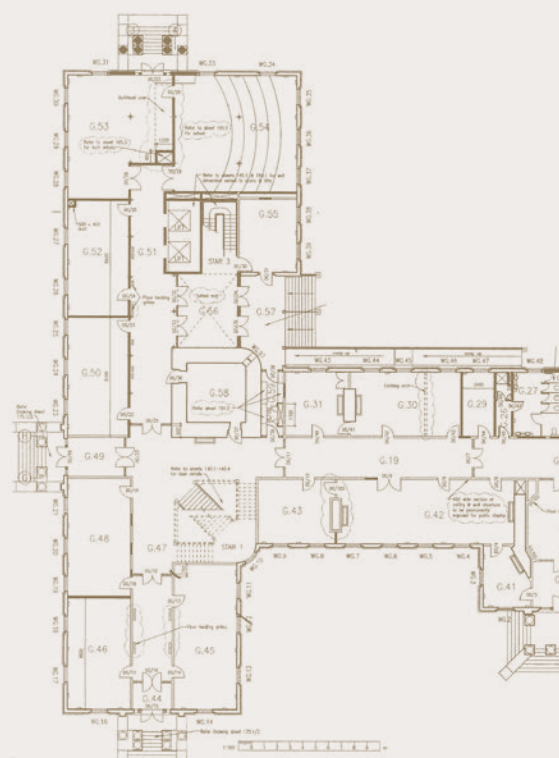
Bill Atkin spent part of the day examining an LLM thesis from Canterbury University. He was also preparing for a meeting of the Human Ethics Committee, which he chairs for the Pipitea

Campus. Ethics approval is an integral part of much empirically-based research, including work of the kind described below by Yvette Tinsley and Nicole Moreham on media intrusion and the role of privacy law. Bill was also continuing with research on changes to the Domestic Violence Act 1995 for the LexisNexis Family Law Service, a leading New Zealand practitioner treatise on family law. Bill has been a member of the authorship team on this publication since its inception in 1981.



Mark Bennett was preparing for a presentation in the Victoria Law Faculty Academic Enrichment Programme, a series of seminars in which Faculty present works-in-

progress and receive collegial feedback from other VUW legal scholars and our PhD students. The Academic Enrichment Programme is one of the vehicles for enhancing the quality of the research that is produced by the Faculty of Law. The seminar series contributes more generally



to the Faculty's intellectual environment. Mark was also preparing for a seminar presentation he had been invited to give at the Julius Stone Institute at the University of Sydney Law School in early November. Mark's talks were on "Fuller's challenge and the self-understanding of legal positivism." This topic is also part of a book project Mark is developing from his doctorate in law, which he was awarded from the University of Toronto in 2013.



At the same time, **Richard Boast** was in his office proofreading his latest book, *The Native Land Court 1882-1887: A Historical Study, Cases and Commentary*. Writing this book involved transcribing and editing over 150 early judgments of the Native Land Court, many of which only exist in manuscript. Later in the day, he could be found at the National Archives checking and transcribing early decisions of the Native Land Court for the second volume covering the period from 1887-1909. Other parts of the day were spent setting up meetings with his research team associated with his Marsden Research Grant. Richard was awarded the Marsden Grant in 2012 for a three-year period to carry out research on comparative tenurial change on the Pacific Rim in the 19th century which will involve comparative studies of a number of countries, including Taiwan, Mexico, Costa Rica, and Hawai'i, as well as New Zealand.



Alberto Costi was busy that morning working on his current research project on the authority to detain in international law. He also finalised the travel details of a conference trip to Canada to attend the annual meeting of the Canadian Council on International Law where he will be jointly delivering a paper on the binding nature of international financial regulations in November 2013. Later that day, he prepared some guidelines for the student who will hold a Summer Scholarship to assist him with a project that addresses the implications of climate change on human rights and state sovereignty. The Summer Scholarship programme enables students to work closely with Faculty members on research projects. The scheme assists with the research produced by the Faculty, while providing students the opportunity to develop their research, analytical and writing skills under close supervision of a permanent Faculty member.



In his capacity as co-ordinator of our flagship LLB(Hons) programme, **Joel Colón-Ríos** spent the morning reading Honours students' research essays. He also replied to an email sent from the Constitutional Court of Colombia, in which he was informed that a book containing a public lecture he gave in Bogotá on the occasion of the 20th Anniversary of the Colombian Constitution, had just been published. Later this year, Joel's second book, *La Constitución de la Democracia*, will also be published in Colombia. The book examines the implications of the theory of constituent power for contemporary constitutional states, a topic he has been researching for the past few years. As part of this research, he just completed a paper that looks at the English origins of the concept of constituent power, and which will be published in *The Law Quarterly Review* in 2014.



Catherine Iorns was busy in her office preparing for a trip to Copenhagen, Denmark, and Lund, Sweden, where she had been invited to speak on her work on the intersection of environment and human rights, as well as

preparing for her participation in a workshop on Sustainable Development and a UN Consultation on Human Rights and the Environment.



Claudia Geiringer was finalising the edits on the latest edition of the *New Zealand Journal of Public and International Law*, one of scholarly law journals

published by Victoria's Law Faculty. Claudia jointly edits this journal with Petra Butler. The particular issue focuses on the New Zealand Bill of Rights Act 1990, the same topic for which Claudia has recently been awarded a major Marsden Fund Research Grant to study the Act's record of performance during its first quarter century.

Later in the day she could be found in her office writing references for former students to undertake LLM study in the US and working on a blind peer review report on an article for a leading Australian law school. Blind refereeing of articles is part of the quality control mechanisms for scholarly journals which seek out leading academics to comment on the quality of the articles submitted to these journals. Victoria Law School faculty are frequently called on to participate in this process—testimony to their standing in their specialist fields.



Carwyn Jones spent part of the morning shortlisting student editors for the *Māori Law Review*, which was relaunched at the Law School in 2012. Carwyn, who edits the

Review, sees student involvement with these kind of scholarly endeavours as critically important. Carwyn commented: "For any area of law to be strong and vibrant it is really important that new voices are engaged and fresh perspectives are brought to bear on the central issues in the field". He was also doing more planning work for his "Legal Traditions of Wairoa" project. This is a pilot project which has involved Carwyn and his research assistants working with a small group of kaumatua from the Wairoa area to test and develop ways of identifying legal rules and principles from within traditional Māori stories.





Nessa Lynch could be found that morning in the central university Library, continuing her research on the Vulnerable Children Bill. One of a number of Victoria's Law Faculty to

adopt interdisciplinary perspectives on their work, Nessa also met with a colleague from the Institute of Criminology with whom she is collaborating on plans for a conference in 2014. Later in the day, Nessa met with her student research assistant who will assist her with writing an article on the legal framework underpinning the collection and retention of DNA in New Zealand. Nessa's interest in the use of DNA in the legal process will also be reflected in research she is conducting on the collection of DNA in the pre-trial process.



After finalising written feedback for her students on the oral assessment component of her Evidence course, **Elisabeth McDonald** was in her office reading cases in preparation for writing the third edition of *Evidence Act 2006: Act and Analysis*, whose authorship team also includes Yvette Tinsley. That same day, Elisabeth received news that the Court of Appeal in *Smith v R* [2013] NZCA 362, had favourably mentioned her co-authored text *Principles of the Law of Criminal Evidence*. In the afternoon, she was on the telephone discussing the timing of her appearance to speak to the Social Services Select Committee about her submission to the "Inquiry into the Funding of Specialist Sexual Violence Social Services".



Campbell McLachlan presented a paper "The interaction of international law and municipal law: the case for an allocative approach in foreign relations cases" (a chapter from his forthcoming book *Foreign Relations Law* – to be published in 2014 by Cambridge University Press) for discussion at a lunchtime Faculty enrichment seminar. Campbell has been greatly assisted in this project by the award of the International Research Fellowship from the New Zealand Law Foundation.



Having just completed the first draft of a major article on the law of implied terms in contract and given it to his student research assistant for editing and cite checking,

David McLauchlan was busy preparing two separate seminar papers on aspects of the law of contract interpretation for presentation to the Perth and Brisbane legal professions in the new year.



On a day when he was teaching two different classes – Maritime Law and Property – **Bevan Marten** was also corresponding with colleagues in Utrecht and Oslo regarding his recent monograph *Port State Jurisdiction and the Regulation of International Merchant Shipping*, published by Springer, Heidelberg in 2013.



Nicole Moreham was continuing with revisions of an article on non-informational breaches of privacy. The legal regulation of privacy is the focus of Nicole's work for which she has been awarded a major Rutherford research grant. The working title of the article is *Beyond Information: The Protection of Physical Privacy in English Law*. Later in the day Nicole met with Yvette Tinsley to discuss the appointment of a student research assistant for their project on privacy and media intrusion. For this project, Yvette and Nicole have interviewed 18 relatives and friends of the victims of the Pike River mine disaster about the impact media attention has had on their lives. They will shortly be writing up their results in a series of articles.



Grant Morris was engaged in research on New Zealand Court of Appeal judgments from 1865 to 1875 which include James Prendergast as Attorney-General representing the Crown. This was further background work to his biography of Justice Prendergast, New Zealand's third Chief Justice, which will be published by Victoria University Press in 2014. Grant was also busy with correspondence promoting the most recent edition of the *Victoria University of Wellington Law Review*, for which he was special editor. This edition is entitled "Recovering the Common Good" and is based on a conference which Grant helped organise at Parliament in 2012.



Joanna Mossop was in her office checking the contract she has just received from Oxford University Press for her new book *The Law of the Extended Continental Shelf*.

With research supported by the New Zealand Law Foundation and by the Law Faculty research fund, Joanna's book is a study of the legal regime that applies to activities taking place on the continental shelf beyond 200 nautical miles.



During the morning, **John Prebble** attended a meeting with the publishers to commission several authors for books in the Thomson Reuters Tax Library, which he

edits with Judge Paul Barber. He then met with one of our LLB(Hons) students, who had just been selected to hold a Summer Scholarship to abstract academic papers by the Dean of Law, Professor ATH Smith, and to post them on the Social Science Research Network (SSRN)—a major on-line repository of scholarly research where the Victoria Law Faculty has an increasingly important profile. John also settled the appointments of two other Summer Scholars, who will work on one of John's books in the Tax Library. He then turned to a report on a doctoral thesis that he is examining and to checking a draft of the second edition of Prebble and Griffiths, *The Taxation of Property Transactions*, due for publication by Lexis Nexis in 2014.



Caroline Sawyer spent the day working on a variety of research projects, including her article in this volume, and preparing the ground to work on a case note on the 2013 UK

Supreme Court case of *Secretary of State for the Home Department v Al-Jedda*, and to update her sections of the Oxford University Press textbook on immigration and asylum law. She was also working on a jointly-authored paper on cultural rights in New Zealand.



Like many of Victoria's legal academics, **Māmari Stephen's** research and teaching are deeply integrated. On 17 October, Māmari was working on research toward her

forthcoming book on social security law. The same research will be useful for her summer Law School course on this topic. Later that day, she met with other Māori and Pasifika academic

staff about improving the Māori and Pacific Island tutorial support programme. That day she also completed a submission on the Credit Contracts and Financial Services Law Reform Bill.



In the morning, **Yvette Tinsley** reviewed coding manual edits for the New Zealand Crime and Safety Survey for which she has been appointed as a specialist consultant. At lunchtime, she

gave a seminar in the Institute of Criminology “What’s law got to do with it?” which drew from her ongoing empirical research project on juries. This project, the co-researchers of which are based in New Zealand and Australia, has received funding both from Australia and from the New Zealand Law Foundation. Later in the day, she arranged a meeting with her Australian counterparts on the project before meeting with Nicole about their Pike River work. And, like Elisabeth McDonald, Yvette was also busy that day preparing for the third edition of *The Evidence Act 2006: Act and Analysis*.



Not all of the Faculty’s important research work being conducted on 17 October was occurring in the Law School buildings.



On the other side of the world, **Petra Butler** was discussing the advantages of the United Nations Convention on the International Sales of Goods (1980) with colleagues at the

Universidad de Navarra, where Petra has been visiting during her research leave. During her time away, Petra has delivered guest lectures at Universidad Carlos III de Madrid and Baker & McKenzie (Madrid) on international contract law and the importance of human rights in the business context. In addition, she presented seminar papers at leading institutions, including the European University Institute in Florence.



Meanwhile, **Susy Frankel**, the recent recipient of a Fulbright Fellowship, is currently based at New York University Law School, where she is

conducting research for her new text, *Supporting Intellectual Property’s Innovation and Creativity Goals through Dynamic Interpretation of International Agreements: A Hermeneutic of International Intellectual Property*.



Paul Scott, a recipient of a Hauser Fellowship, is also at NYU Law School, where he was continuing his research on the influence of US antitrust law on New Zealand competition law,

and was preparing a paper for a major NYU conference.



Dean Knight, meanwhile, was en route to London where he is a PhD candidate at the London School of Economics and Political Science. His thesis, *Variable Intensity in Anglo-*

Commonwealth Administrative Law, examines the different ways the courts calibrate the depth of their supervisory lens and builds on his other work exploring the legal method in judicial review cases.



IF THIS SNAPSHOT offers a picture of the present research endeavours of my Faculty colleagues, what of the future?

Today’s Law Faculty members are, as is the case with any fine institution, only its temporary stewards. Our work is informed by the deepest respect for those who came before us, and is animated more by a sense of responsibility than proprietorship.

That which characterises fine legal scholarship in the second decade of the 21st century is an accretion of traditions and innovations developed by the many earlier generations of scholars. In the legal academy, legal scholarship is also informed by an acute awareness of and dialogue with the work of legal scholars and jurists in other jurisdictions.

We can only guess at how legal scholarship and teaching will respond to the profound changes that are currently occurring in the marketplace for legal services, including the increasing internationalisation of the practice of law, and, perhaps most significantly, the possible decline of the “Cravathesque” law firm.

The education we provide and the scholarship we produce will inevitably respond to these kinds of developments. More immediate effects may come from the “Performance-Based Research Funding” (PBRF) scheme, under which all New Zealand academics must currently labour, notwithstanding questions as to its degree of “fit” with distinct academic and professional disciplines, including Law. As its economic

incentives continue to be internalized, the PBRF will inevitably influence the future of New Zealand legal scholarship, for better or worse. The Law School is justifiably proud of its success in the latest PBRF round, but we hope that the PBRF affects detrimentally neither the vibrancy of the dialogue that currently exists between New Zealand academics, the legal profession and the courts nor the survival of New Zealand-based law reviews.

Legal scholarship is, amongst other things, an iterative process. In the common law world scholarship tends to reflect the common law method. Seldom welcome or useful are efforts animated by an aspiration to “shift paradigms”: our work is stronger for the incrementalism that typically characterises it.

Legal research is a subtle choreography between creativity and discipline. Scholarly traditions of course adapt and evolve, but it is to be hoped that the catalysts of change derive principally from the discipline of Law itself, and its relationship with the communities we serve and the other academic disciplines to which we respond, rather than financial exigencies.

If past and present augur the future, Victoria’s Law Faculty will continue to make exceptional contributions to the development of legal science, contribute meaningfully to law reform, reflect on the traditions and cultural contexts that inform the present, and lead and participate in dialogues – both domestic and international – on law’s role in shaping the commercial marketplace and civil society, contributing to the functioning of government, and enhancing the dignity of individuals and peoples.

So, next time I am asked, “What’s legal scholarship?” I might respond simply, “It’s what legal scholars do”. If further detail is required, this snapshot of what was happening in the Law Faculty on 17 October 2013 should be answer enough.

As Associate Dean (Research) for the Law Faculty I have the privilege of working with and for a diverse group of dedicated, expert, and creative legal academics. The kinds of scholarly endeavours described above happen here day in, day out. Both humbling and inspiring, the work of my Faculty colleagues honours the traditions that have made the Victoria Law Faculty what it is today while promising a future that is very bright indeed.

Visitors to the Faculty 2013

JANUARY

Kayla Kingdon-Bebb, a PhD student from the University of Cambridge, continues her visit with the Faculty while she works on her thesis. Her thesis is a diachronic study of changes made to the land tenure systems of self-governing First Nations in British Columbia.

Yukio Matsui, Professor from Kwansei Gakuin University, Japan, visited from January to March to work on his research project entitled “New Zealand Constitutional Law and the Westminster Model of Government”.

Monique Costi, former Head of International Affairs, NZ Securities Commission/FMA, continued to visit during 2013 to complete her research projects.

FEBRUARY

Mary Boyce, University of Hawai'i at Mānoa, again visited to work on the Māori Legal Project with Māmari Stephens.

Mario Patrono, Sapienza University of Rome, is a regular visitor to the Faculty. Professor Patrono has taught an Honours/Master's course, LAWS434/534 European Union Law, for the Law Faculty this year. He plans to return in 2014 to teach another course. Professor Patrono also gave a staff seminar entitled “The European Court of Justice and Affirmative Action to Redress Women's Inequality”.

MARCH

Peter Boshier, Former Chief Judge of the Family Court, has taught at the Faculty this year. Judge Boshier is the Director of LAWS297 Legal Research, Writing and Mooting, which is designed to teach the students how to use the Law Library and databases, refer to and cite legal sources and prepare legal opinions. Students must also argue a case before a judge in a mock courtroom.

Sir Paul Walker, Judge of the High Court in London, was the Borrin Fellow 2013 to the Law Faculty. During his visit Sir Paul gave a public lecture entitled “Rights, Wrong and Proportionality” and presented two staff seminars: “Proportionality in criminal law” and “Proportionality in civil law”. He also engaged widely with members of the Faculty and students.

Nicholas Phillips (Lord Phillips of Worth Matravers), the first President of the Supreme Court of the United Kingdom, was the 2013 Law Foundation Distinguished Visiting Fellow. During his visit to Wellington he presented a public lecture entitled “The Supreme Court”, and a staff seminar, “Closed Material”. He also visited the other Law Faculties in New Zealand. Lord Phillips is currently a Dixon Poon Distinguished Fellow and Visiting Professor at King's College, London, the President of the Qatar International Court and a judge on the Court of Final Appeal of Hong Kong.

The Rt Hon. Lady Justice Arden, judge of the UK Court of Appeal, gave the 2012 Robin Cooke Lecture entitled “Press, Privacy and Proportionality”. Due to unforeseen circumstances it was delayed until March 2013. Lady Mary and Lord Mance went on to attend the Judges' Conference, also held in March.

The Rt Hon. Lord Mance gave an ILA and staff seminar entitled “Current UK International Legal Issues”. Lord Mance is a Justice of the Supreme Court of the United Kingdom and Chair, Executive Council, of the International Law Association.

APRIL

Ursula Kilkelly, Faculty of Law at the University College Cork, visited during her sabbatical. While here Ursula gave a staff seminar entitled “Youth Justice in Ireland”.

Shaunnagh Dorsett, Associate Professor, Faculty of Law, University of Technology, Sydney, visited to work on her New Zealand Law Foundation-funded research project entitled “Māori and the British Courts: 1835-1856”.

MAY

Brenda Gunn, Faculty of Law at the University of Manitoba, visited briefly during her sabbatical to UNSW. Brenda gave a lunchtime seminar entitled “Implementing the UN Declaration on the Rights of Indigenous Peoples: Lessons Learned from Canada”.

Matthew Groves, Associate Professor of the Faculty of Law, Monash University, gave a staff seminar during his brief visit, “Habeas Corpus, Foreign Affairs and Travelling Terrorists”.

Julian Ludbrook, formerly of the Ministry of Foreign Affairs and Trade, temporarily joined

the Law Faculty in May under the aegis of the NZ Centre for International Economic Law while he is scoping a research project.

JULY

Harold Koh, Sterling Professor of International Law, Yale Law School and former adviser to the Clinton presidency, visited and gave a seminar “There and Back Again: International Law in the Ivory Tower to Foggy Bottom” and a public lecture “Is there an Obama-Clinton Doctrine?”.

Eileen Luna-Firebaugh, the inaugural Toiwharewa Visiting Indigenous Fellow – an initiative from the office of PVC Māori, Piri Sciascia – was based at the Faculty. She is an Associate Professor at the University of Arizona and Associate Head of the American Indian Studies Programme. In that time she gave presentations at the Law School (Indigenous Speaker Series, Faculty seminar) as well as giving a seminar at Te Kawa a Māui (Māori Studies) and presenting to faculties from other universities throughout the country via a webinar.

Peter Lee, Professor of Law and Chancellor's Fellow at the UC Davis School of Law was a visitor in July and gave a seminar “Patents and the University” and a public lecture, “Constructing a Technological Commons through Public Norms and Private Ordering”.

AUGUST

Rhonda Evans Case, Associate Professor, University of Texas in Austin and **Sean Fern**, graduate student from the University of Texas in Austin, visited to research a project “Agenda-Setting on the New Zealand Supreme Court; Law and Politics of Applications for Leave to Appeal.” They gave a seminar on the subject during their stay.

NOVEMBER

Catherine Rogers visited the Faculty as part of her itinerary as the 2013 New Zealand Law Foundation International Dispute Resolution speaker. She participated in an interview with Linda Clark about the Jerusalem Arbitration Centre at the Faculty as well as giving a seminar and breakfast meeting in Wellington. Professor Rogers is the Paul and Majorie Price Faculty Scholar and Professor of Law at the Dickinson School of Law, Pennsylvania State University.



Benchmark: Three distinguished guests

THE RT HON THE LORD PHILLIPS OF WORTH MATRAVERS KG PC was the 2013 New Zealand Law Foundation Distinguished Visiting Fellow. He was, until October last year, the President of the Supreme Court of the United Kingdom. Lord Phillips has had a distinguished judicial career and is known for conducting an inquiry into the outbreak of BSE (Mad Cow Disease).

His public lecture at Victoria – “The Supreme Court” – explored the origin and development of the Supreme Court of the United Kingdom. Established in 2009 by the Constitutional Reform Act 2005, the court is an independent court of appeal that replaced the House of Lords as the highest appellate court in the UK (other than for Scottish Criminal cases).

The move was a milestone in the constitutional history of the UK. It separated the powers exercised by the judiciary and the Upper House of Parliament. Symbolically, the court sits alongside, but separate to, the executive and legislative arms of the state.

Lord Phillips, as the first President of the Supreme Court, explained the history behind its development. He touched on foundational concepts such as the separation of powers, and provided insight on the organisation and structure of the court as it exists today. He considered some of the key cases that have come before the court and the dialogue between the Supreme Court and the European Court of Human Rights in Strasbourg.

THE RT HON LADY JUSTICE ARDEN is a judge of the UK Court of Appeal, the third female judge to be appointed to sit of this court and gave the Robin Cooke Lecture this year (see page 6).

Lady Arden read law at Girton College, Cambridge and took an LLM degree at Harvard Law School in 1970 as a Kennedy Scholar. She was called to the bar at Gray’s Inn in 1971 and joined Lincoln’s Inn in 1973. She practised at Erskine Chambers from 1971 to 1993, mainly in company law. She became a QC in 1986 and served as Attorney-General of the Duchy of Lancaster.

She is an Honorary Fellow of Royal Holloway, University of London. From 1996 to 1999 she was Chairperson of the Law Commission.

SIR PAUL WALKER is the second Borrin Visiting Fellow. Born in Wellington, Sir Paul was educated at St Peter’s College, Adelaide and Magdalen College, Oxford. He was called to the bar of England and Wales in 1979, took silk in 1999 and was appointed as a Justice of the High Court of England and Wales in 2004.

He was President of the Administrative Appeals Chamber of the Upper Tribunal from 2009 to 2012 and is a bencher of Gray’s Inn.

From 1994 to 1996 he was a Senior Lecturer at Victoria University’s Faculty of Law and was the first Director of the New Zealand Centre for Public Law in 1996.

Sir Paul gave a public lecture: “Rights, Wrongs and Proportionality” during his visit to the Faculty.

Faculty events 2013

FEBRUARY

DISCUSSION

The Role of the UN Peacekeeping Mission in South Sudan

Naresh Perinpanayagam (Political Officer, UN Department of Peacekeeping Operations)
In association with the New Zealand Association for Comparative Law

MARCH

BOOK LAUNCH

Youth Justice in New Zealand (Thomson Reuters, 2013) by Nessa Lynch

SEMINAR

Current UK International Legal Issues

Rt Hon Lord Mance (UK Supreme Court)
In association with the International Law Association (NZ Branch)

PUBLIC LECTURES

The Supreme Court

Lord Phillips, (New Zealand Law Foundation Distinguished Visiting Fellow (LFDVF) and former President, UK Supreme Court

Press, Privacy and Proportionality

Robin Cooke Lecture, The Rt Hon. Lady Justice Arden, UK Court of Appeal

Rights, Wrong and Proportionality

Sir Paul Walker, 2013 Borrin Fellow, UK High Court

SEMINARS

Proportionality in criminal law

Sir Paul Walker, 2013 Borrin Fellow

Closed Material

Lord Phillips, LFDVF

Proportionality in civil law

Sir Paul Walker, 2013 Borrin Fellow

APRIL

PUBLIC LECTURES

Law in the Micronesian Islands Today:

Democratic Overlay

Carolyn Kern

In association with the New Zealand Association for Comparative Law

Attack of the Theocrats: How the religious right harms us all and what we can do about it

Sean Faircloth, Director of Strategy and Policy for the **Richard Dawkins Foundation** for Reason and Science. Other speakers: Peter Harrison, David Armstrong
In association with the NZ Humanist Society

SEMINAR

Youth Justice in Ireland

Professor Ursula Kilkelly, University College Cork, Head of the Department of Law

CONFERENCE

Recalibrating Behaviour:

Smarter Regulation in a Global World

Keynote speakers: Professor Fiona Hawes, School of Social and Political Sciences, University of Melbourne and Professor Jonathan B Weiner, the William R. and Thomas L. Perkins Professor of Law and Professor of Public Policy, Duke Law School

MAY

SEMINARS

Implementing the UN Declaration on the

Rights of Indigenous Peoples: Lessons

Learned from Canada

Brenda Gunn, Assistant Professor Robson Hall Faculty of Law, University of Manitoba

The European Court of Justice and

Affirmative Action to Redress Women's

Inequality

Mario Patrono, Professor of Law, Sapienza University of Rome

JUNE

LAUNCH OF NEW ZEALAND

LAW FOUNDATION

REGULATORY REFORM TOOLKIT

Research team from Victoria University, NZIER and Chapman Tripp

See page 4

BOOK LAUNCH AND SEMINAR

He Papakupu Reo Ture: A Dictionary of

Māori Legal Terms, eds. Māmari Stephens and Mary Boyce

JULY

PUBLIC LECTURES

Constructing a Technological Commons through Public Norms and Private Ordering

Professor Peter Lee, Professor of Law and Chancellor's Fellow, UC Davis School of Law

Forgotten Justice: A History of Political and Legal Theory

Professor Allan Beever, Professor of Law, University of South Australia Law School

SEMINARS

Patents and the University

Professor Peter Lee, Professor of Law and Chancellor's Fellow at the UC Davis School of Law

Misunderstanding the Economic Torts

Professor Allan Beever, Professor of Law, University of South Australia Law School

There and Back Again: International Law in the Ivory Tower to Foggy Bottom

Professor Harold Hongju Koh, Sterling Professor of International Law at Yale Law School

In association with the International Law Association (NZ Branch)

AUGUST

SEMINAR

Indigenous on the margins

Eileen Luna-Firebaugh, Associate Professor of American Indian Law and Policy at the University of Arizona

SEPTEMBER

PUBLIC LECTURES

Religion, Secularism, and the Future of Liberal Democracy

Dr Jonathan Chaplin, Director of the Kirby Laing Institute for Christian Ethics

In association with the Christian Lawyers Association of Wellington and the Anglican Chaplaincy at Victoria University

THE LAW STUDENTS' SOCIETY

PATRON'S LECTURE

John Allen, CEO, MFAT

SEMINAR

Is state funding of university research based on peer review an infringement of the researcher's academic freedom?"

Dr Petra Butler, VUW Faculty of Law

OCTOBER

PUBLIC LECTURES

The Climate Reality 2013

Catherine Iorns, VUW Faculty of Law

Historical and Comparative Legal Perspectives: Colonisation without

Exploitation: The Qing Policies in Taiwan during the High Qing Period (1684 – 1795)

Ruiping Ye; and **An Overview of the Ethiopian Legal System** Ameha Wondirard

In association with the New Zealand Association for Comparative Law

BOOK LAUNCH

Recovering the Common Good,

edited by Grant Morris

In association with the Victoria University of Wellington Law Review and the Christian Lawyers' Association of Wellington

DEAN'S RECEPTION

To honour competitions and prize winners

See page 32

NOVEMBER

PUBLIC LECTURES

BEEBY COLLOQUIUM

ON INTERNATIONAL LAW

The UN Security Council: An International Legal Perspective

Ambassador Colin Keating

In association with the Ministry of Foreign Affairs and Trade and the International Law Association (NZ Branch).

Property in the Human Body:

Comparative and Theoretical Perspectives

Dr Mark Bennett, VUW Faculty of Law

In association with the New Zealand Association for Comparative Law

SEMINAR

A Fresh Look at the Crown's Obligations

Under the Treaty of Waitangi, using all Relevant Tools of Treaty Interpretation

Julian Ludbrook, NZCIEL visitor, currently researching the Treaty of Waitangi

INTERVIEW

The Jerusalem Arbitration Centre

Professor Catherine Rogers, New Zealand Law Foundation International Dispute Resolution speaker, with Linda Clark

BOOK LAUNCHES

NZULR 50th Anniversary Special Edition,

ed. Professor Tony Smith

The Native Land Court,

Professor Richard Boast

DECEMBER

ROBIN COOKE LECTURE

New Zealand Law Now

Professor Tony Smith, Dean of Law, Victoria University

NEW ZEALAND CENTRE FOR PUBLIC LAW

APRIL/MAY

CONSTITUTIONAL DEBATE SERIES

“What’s the problem?”

“Reforming our democratic institutions”

“Māori aspirations for constitutional change”

“Human rights in the constitution”

“Time to be a Republic?”

See page 8

MAY

SEMINAR

Habeas Corpus, Foreign Affairs and Travelling Terrorists

Associate Professor Matthew Groves, Faculty of Law, Monash University

JUNE

PUBLIC LECTURE

Eco-constitutionalism:

Recognising Environmental Rights and Values in a Constitution

Catherine Iorns, VUW Faculty of Law

SYMPOSIUM

The Treaty of Waitangi and the Constitution

With Rt Hon Sir Geoffrey Palmer QC, former Prime Minister; Māmari Stephens, VUW Faculty of Law); Colin James, political commentator; Philip Best, lecturer/researcher Māori Business

In association with the Māori Law Review

JULY

PUBLIC LECTURES

Law Beyond the Final Frontier:

Latest Developments in Space Law

Chris Newman, Senior Lecturer in Law at Sunderland University, UK

Constitutional Conversations on the Separation of Church and State in New Zealand

Catherine Iorns, VUW Faculty of Law

Is there an Obama-Clinton Doctrine?

Professor Harold Hongju Koh, Sterling Professor of International Law at Yale Law School

AUGUST

CONFERENCE

Unearthing New Zealand's Constitutional Traditions

Keynote speakers: Professor David Hackett Fischer, University Professor and Earl Warren Professor of History at Brandeis University and Emeritus Professor Andrew Sharp, Fellow in New Zealand Studies, Birkbeck College, University of London/University of Auckland
See page 2

PUBLIC LECTURE

100 Years of the Peace Palace

Sir Kenneth Keith, Judge of the International Court of Law

SEMINAR

Agenda-Setting on the New Zealand Supreme Court: Law and Politics of Applications for Leave to Appeal

Rhonda Evans Case, Associate Professor, University of Texas at Austin, J.D. (University of Pittsburgh, PA) and Sean Fern, University of Texas at Austin, Law

Faculty publications 2013

VUW LAW REVIEW

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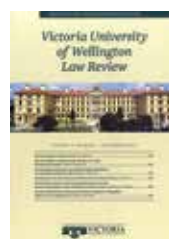


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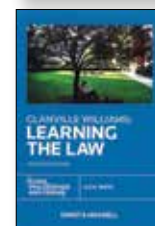
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For he's a jolly good Fellow: Alumnus Jason Varuhas



Victoria Law School alumnus Dr Jason N E Varuhas is Junior Research Fellow at the University of Cambridge, and, from late 2013, Dean's Postdoctoral Research Fellow at the University of New South Wales.

Jason's career in the law began at Victoria University where he completed LLB(Hons) and BA(Economics) degrees, and tutored public law and legal research and writing. After serving as Judge's Clerk to the Honourable Justice Mark O'Regan at the Court of Appeal, Jason returned to Victoria as an Assistant Lecturer in Law.

He says that crucial to his academic development was the critical approach to law at Victoria: an approach to legal education which not only teaches students sound doctrinal and analytical skills but also encourages students to look beyond what the law is and to question the normative strength of legal propositions by reference to basic legal principles and public policy.

Also important were the many opportunities during the degree to engage in independent legal research projects, especially on the law Honours programme, which enables students to form, develop and hone their skills of legal research and analysis under the supervision of Faculty members.

In 2006 Jason travelled to the UK to study at University College London under a

Commonwealth Scholarship. He graduated with an LLM with Distinction and won the Derby/Bryce Prize for the best results in the LLM degree across the law schools of the University of London, and the Jevons Institute Award for excellence in competition law and economics. Particular highlights were writing a dissertation under the supervision of Professor (now Sir) Jeffrey Jowell QC, and being taught administrative law by Professor Richard Rawlings; each leading figures within different traditions of public law thought, the liberal normativist and functionalist traditions respectively.

Jason was then awarded a TEC Top Achiever Doctoral Scholarship to study for a PhD at the University of Cambridge under the supervision of Professor David Feldman QC, one of the foremost scholars working in the fields of public law and human rights. At this time Jason was also awarded the New Zealand Law Society/New Zealand Law Foundation Cleary Memorial Prize for the young barrister or solicitor adjudged as giving the most promise of service to and through the New Zealand legal profession. During his PhD he spent six months

as a Fox International Fellow at Yale University, where he conducted research towards his doctoral thesis and participated in seminars at the Yale Law School. He recalls that it was intellectually enriching to be exposed to two great and markedly different legal traditions during his doctoral research: the legal doctrinal tradition at Cambridge, and the legal realist tradition at Yale. Jason was awarded his doctorate in 2011, his thesis being awarded the prestigious Yorke Prize for a doctoral thesis of exceptional quality, which makes a substantial contribution to its relevant field of legal knowledge. His dissertation developed a tort-based approach to damages for breaches of human rights, and he has a book based on the thesis forthcoming with Hart Publishing, Oxford, in 2014.

In 2010 Jason commenced his role as a Junior Research Fellow at the University of Cambridge. As part of this role he co-convenes and teaches on the Faculty of Law's LLM Public Law course, and is a member of the management committee of the Cambridge Centre for Public Law, co-convening and chairing the Centre's public law discussion group, which has featured leading figures in public law including Professors Carol Harlow, Richard Rawlings and Maurice Sunkin.

His main responsibility is to conduct academic research, and he has published academic articles in leading journals, including the *Modern Law Review*, *Cambridge Law Journal*, *New Zealand Law Review* and *Oxford Journal of Legal Studies*, and book chapters on a variety of topics in public law and tort law, as well as having presented at several international conferences.

His recent work has included an inquiry into the concept of "vindication" within the law of torts and an article responding to claims that English administrative law has undergone a rights-based "reformation", and which entails a conceptual analysis of "rights" in public law. As well as finalising his monograph he is currently working on book chapters for an edited collection on Landmark Cases in Public Law, and an edited collection picking up themes in the late Professor Michael Taggart's scholarship.

Jason is currently co-convening a major international conference on public law, to be



held at the University of Cambridge in 2014 and which will bring together leading public lawyers from across the common law world.

The University of Cambridge is founded on a collegiate system and Jason is a Fellow of Christ's College. The College was founded at the end of the 16th century, and has many famous alumni including Charles Darwin and John Milton. One of the great benefits of the college system is that each College is composed of Fellows from disparate disciplines, so that you may be discussing heart transplants with a medical doctor over lunch, and the collapse of large steel structures with an engineer over dinner. The College thus offers a stimulating environment in which you are exposed to different modes of thinking and learn a great deal about subjects outside of your immediate area of expertise; in turn this stimulates thinking on your own research.

There are also various quirks and privileges of being a Fellow; for example each year every Christ's Fellow receives jars of jam made from berries from "Milton's Mulberry tree" and pots of honey from the College beehives, while Jason holds rooms in the 17th Century Fellows' Building which overlooks the large Fellows' Garden, and about which a ghost story has been written (AP Baker, *A College Mystery* (1919)). Jason has the additional role of "Keeper of the Statutes" within the College, which entails responsibility for interpreting the College's statutes, advising on reform and drafting amendments. He has recently led major reforms to the statutes, which are currently awaiting approval by Her Majesty.

The fellowship makes provision for work away from Cambridge. From late 2013 Jason will begin a Research Fellowship at the University of New South Wales Faculty of Law in Sydney, where he will also be a member of the Gilbert+Tobin Centre of Public Law, and, with two colleagues, will have responsibility for establishing an administrative law project within the Centre. During his UNSW Fellowship Jason will be pursuing two major research projects: one on 'mapping' public law, which will entail developing a taxonomy of different fields of public law doctrine, and one on remedies in public law.

Jason is looking forward to being closer to his home town, Wellington, and to being able to visit more regularly his "academic home", the Law Faculty at Victoria.

Alumni Achievements 2013

Terence Arnold BA 1968, LLB(Hons) 1970, LLM 1972 was appointed to the Supreme Court of New Zealand.

Claudia Batten BCA 1996, LLB(Hons) 1998 received a Distinguished Alumni Award for her achievements in marketing and information technology.

Brendan Brown LLB(Hons) 1976 was appointed to the High Court.

John Bergsen LLB 1988 was appointed an acting District Court Judge with general and jury warrants for a period of two years.

David Gendall LLB (Hons) 1973 was appointed to the High Court in Christchurch.

Amelia Keene LLB (Hons) 2010 is understood to be the first New Zealander to earn a traineeship at the International Court of Justice in The Hague. Amelia graduated in May this year from Columbia Law School with an LLM and as a Kent Scholar.



Mark O'Regan LLB (Hons) 1975, LLM (1980) President of the Court of Appeal (on left, with Richard Boast, Sir Edward Durie and Judge Ian Borrin), was knighted in the New Year's Honours.



Mark Perkins LLM 1984 was appointed a permanent judge of the Employment Court.

Kevin Riordan BA 1980, LLB 1983 was appointed Deputy Judge Advocate General of the Armed Forces.

Conrad Smith LLB(Hons) 2004 received a Distinguished Alumni Award for his sports leadership.

James G Stewart BA LLB (Hons) 2000 who is on the Faculty at the University of British Columbia, got his SJD from Columbia.

Georgina te Heuheu BA 1966, LLB 1972, the country's first female Māori Law graduate, received a Distinguished Alumni Award for her achievements in politics.



Sally Varnham LLB 1972; LLM 1998 has been promoted to Professor at the University of Technology Sydney.

Kate Yesberg BA, LLB (Hons) received a Fulbright Award to do a Master of Laws degree in Environmental and International Law, specialising in regional environmental governance and regulation of extractive industries, at New York University.



Hi Vis: Victoria in Vienna

IN 1994, ELEVEN LAW SCHOOLS from nine countries mooted a problem comprising international commercial arbitration and the UN Convention on the International Sale of Goods (CISG) in Vienna for the first time.

This was the birth of the Willem C Vis Moot, named after Willem Cornelis Vis (1924–1993), a world-recognised expert in international commercial transactions and dispute settlement procedures. It was initiated by Professor Eric Bergsten, now emeritus professor at Pace University Law School and former Secretary of the United Nations Commission on International Trade Law (UNCITRAL).

This year, the 20th Vis Moot saw 290 teams from 67 countries competing for the Pieter Sanders Award (best memorandum for Claimant), the Werner Melis Award (best memorandum for Respondent), the Martin Domke Award (best oralist), and the Frédéric Eisemann Award (best team in the oral competition).

In the early years of the Vis Moot, participating universities came from three continents and English was not the predominant mother tongue among the competitors. In 2013, around 1,800 mooters and 500 arbitrators came from all five continents and, although English is the language of the competition, there are many languages to be heard outside the competition rooms: Arabic, Chinese, Spanish, French, German, Russian and so on fill the corridors of the Vienna Law School (“the Juridicum”).

The goal of the Vis Moot is to foster the study of international commercial law and arbitration for resolution of international business disputes through its application to a concrete problem of a client, and to train law leaders of tomorrow in methods of alternative dispute resolution.

To foster a global perspective, every effort is made to have *civil law* law schools argue against *common law* law schools so each may learn from approaches taken by persons trained in another legal culture. Similarly, the teams of arbitrators judging each round are from both common law and civil law backgrounds.

Therefore, every year the Moot is a true melting pot of languages, cultures, and legal traditions which enables students, academics, and practitioners alike to experience a truly global

intellectual atmosphere (and the odd cultural challenge on the way).

In addition, importantly, the Vis Moot problems, as well as the winning memoranda, reflect and encapsulate the evolution and developments in the worldwide application and interpretation of the CISG and pertinent issues of international commercial arbitration. In the first ten years of the Moot, the dominating teams came either from Germany, Australia, or the United States.

The last ten years have seen a stronger presence from South American and Eastern European teams who are now making their mark. Chinese teams are emerging, with the City University Hong Kong this year being awarded the Frédéric Eisemann award for the best team in the oral competition.

All of this reflects changes in the global legal scene: China is a member state of the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards as well as to the CISG; Brazil just became the 78th member state; and contract law reform in Eastern Europe took account of the principles outlined in the CISG.

Over the last 20 years the Vis has become a firm event in every international commercial lawyer’s diary whether or not involved with the Moot. Some important conferences are scheduled around the Moot to foster intellectual exchange on important issues in international arbitration and the CISG. In addition, fora for students and young lawyers allow discussions not only on academic issues, seeing and hearing world authorities in person but also discussions and advice about how to pursue a career in international commercial law.

Victoria University took part in the Vis Moot for the first time in the fourth Moot, where Daniel Kalderimis, now a partner at Chapman Tripp in Wellington, was awarded a third place as an individual oralist.

The next year 58 teams competed, and Victoria got as far as the semi-finals: Daniel Kalderimis received an honourable mention as an individual oralist; Victoria’s Claimant Memorandum was also awarded an honourable mention; and its Respondent Memorandum was judged second best.



Top: The 2012-13 Vis Mooting team
Duran Timms, Nik Bruce-Smith
(coach) Anjali Sarma, Cheyne
Cudby, Campbell Herbert
(researcher), Steven Li
Bottom: The 2011 Vis Moot team –
Nigel Smith, Alexandra Sinclair,
Dr Danzi, Katrina Winsor
(PhD candidate and team coach)



From the fourth Moot onwards, Victoria took a break only twice: in 2000-2001 and 2009-2010.

In the past ten years the Vic Vis Moot teams have built on the enthusiasm and success of the earlier teams and Vic has become a household name in Vienna, being one of only a handful of teams (albeit the smallest) that every year has brought home at least honourable mentions.

In 2009 (16th Moot) the team of Katherine Belton and David Hume won the Frédéric Eisemann award as the best team (out of 228 teams). Further successes included Victoria placing third in 2008, fifth equal in 2003 and second in 2004, and this year, for the first time in ten years, being awarded an honourable mention for both the Claimant and Respondent memorandum.

The Vis Moot has become more than just a competition for Victoria University though. Sparked by a Faculty connection to Professor Schlechtriem, one of the fathers of the CISG, and the University of Freiburg, in the last ten years every Vic Vis Moot team has embarked on a European pre-Moot tour. Over this period, the Vic Vis Moot team has become a staple fixture on the German circuit, being not only known for their mootting excellence but also for being fun guests. The host teams, which belong to the best German Vis Moot teams, generally plan a practice with Victoria in front of their

Top: The 2009 Vis Moot team at the Austrian Supreme Court, from left: Petra Butler, David Hume (Vis Moot winner), Professor Eric Bergsten, Katherine Belton (Vis Moot winner), Richard May, Michael Cavanaugh
Bottom: The 2008 Vis Mooting team: Catherine Harwood (Vis Moot semi-finalist), Michael Cavanaugh, Petra Butler, David Hume, in front Ajun Harindranath (Vis Moot semi-finalist)



sponsoring law firm to boast about their connection with Victoria.

Over the years, and with the rise of official pre-moots, the tour has been extended and the teams have visited pre-moots in Leuven, Edinburgh, Madrid and Belgrade, mooted against other teams in London, Milan, and this year for the first time, Istanbul.

The pre-Vienna tour not only benefits the respective team's mooting proficiency but it also allows a closer insight into different cultures. Students are (generally) billeted with students of the host university, who not only organise a visit to the most important sites but also introduce the Victoria mooters to the traditional cuisine and the local beverages.

This part of Vic's endeavour is aptly summarised on the Vis Moot Wikipedia site as:

The CISG's overall aim, as expressed in its preamble - "promoting friendly relations among States" - is often pursued on a personal level in Vienna, resulting in a surprising number of friendly relations indeed between individuals participating in the Moot. And, despite the old Moot proverb "What happens in Vienna stays in Vienna", time has shown that quite often Vienna happens to be only the beginning: over the years, numerous Moot participants have moved to a foreign country as a result of a friendly relationship that had been established during the Moot week, and even a quite impressive number

of Moot-induced marriages have been celebrated. "Omnia vincit amor" ("love conquers all")!

Even though so far no Vic Vis Moot marriage has been celebrated, numerous, enduring world-wide friendships have been made, and for a number of Vic Vis Mooters the Vis Moot has been the step to careers in places as diverse as London, Berlin, Leiden, and Düsseldorf.

Several have completed an LLM at Cambridge University or an LLM in international arbitration at Queen Mary University in London. They have come top of their class, including Martin Smith, now partner at Gilbert Walker, in Cambridge; Katherine Belton, now at Heuking Kühn in Düsseldorf; and Catherine Harwood, now pursuing a PhD (in human rights), in Leiden.

Catherine and Nick Whittington (Meredith Connell) both clerked at the Court of Appeal and both are Cleary Prize recipients. Alexandra Sinclair is currently clerking at the High Court. She was able to use her Vis Moot experience when representing Victoria in this year's Jessup Moot in Washington. She is the only student who has represented New Zealand at both competitions, getting an honourable mention for her oral competency in both.

Vis mooters have won Commonwealth (Fionnghuala Cuncannon, Meredith Connell) and university scholarships to study for their LLMs, and Nick and Martin, as well as former Chapman Tripp senior solicitor Richard May, were recipients of the Pegasus Scholarship allowing them to learn from the best legal practitioners in London.

The Moot has also been instrumental in the establishment of an understanding with one of Germany's large law firms to offer a Victoria law student or graduate an internship with their international arbitration partners. Since international arbitration cases are rare for New Zealand law firms, this is a unique opportunity to experience and to learn about the area of dispute resolution that is of world-wide significance for globally operating businesses. Negotiations are currently underway to add a large Italian law firm to the internship offering. Victoria's presence at the Vis Moot and the friendships and connections forged have also resulted in overseas students (especially German) pursuing their LLM at Victoria.

Especially successful has been the cooperation with the Chair of Professor Ingeborg Schwenzer, one of the leading authorities on the CISG, at Basel University: after finishing a PhD at the University of Basel, several of her students have pursued an LLM at Victoria.

Another yearly event is the team's visit to the Austrian Supreme Court on invitation of one of the judges. After a visit of the Court library, which holds original regulations signed by Empress Maria Theresia, and some comparison of the New Zealand and Austrian legal systems and the year's moot problem, the tour through the 19th-century building is traditionally finished with lunch in the Court's cafeteria overlooking Vienna's inner city.

Neither international arbitration nor the CISG is on the forefront of New Zealand lawyers' minds. In fact, a survey last year among New Zealand lawyers revealed that 80% of the lawyers who returned the survey had not even heard of the CISG.

However, New Zealand is not unheard of among Vis Mooters. For a start, there is the famous *New Zealand mussels* case, decided by the German Supreme Court, on whether the seller had to be aware of public law regulations in the buyer's country. And since 2011 there has been New Zealand's first and only CISG case, *Smallmon v Transport Sales Ltd*, on a comparable issue which has not only been cited extensively by commentators but was also of importance in this year's problem. In addition, a New Zealand dispute (the parties settled) was the basis for the Vis Moot problem in the 18th Moot and the CISG issue for this year's Moot originated at Victoria.

Of course, the success would not have been possible without the generous financial support of Victoria's Law Faculty, the Vice-Chancellor's Office, several of the large law firms, professional organisations, and the commitment of the Faculty and friends in the profession judging practice moots.

An important part of the Vis Moot experience is also the Vis Moot alumni. Former mooters are still involved in the Moot either in helping proof-reading memoranda, judging practice moots, coaching or hosting the team abroad, providing a bed to sleep in, a home-cooked meal and a New Zealand accent on the other side of the world.

Student prizewinners 2012-13

FACULTY OF LAW PRIZEWINNERS 2012

A H Johnstone Scholarships in Law

Best result in top three 200-level courses

Laura Hardcastle & Jasmin Moran

AJ Park Prize in Intellectual Property

Top result in Intellectual Property final exam

Peter Callus

Archibald Francis McCallum Scholarship in Law

Best result in LAWS 301 Property Law

Lauren Brazier

Bernard Randall Prize in Family Law

Top student in LAWS 370 Introduction to Family Law

Hannah Blumhardt

Chapman Tripp Prize

Top graduating law student

Adele Taylor

Chris Highfield Memorial Prize in Judicial Law

Best result in LAWS 322 Judicial Review

Malisa Mulholland

Chris Highfield Memorial Prize in Public Law

Best result in LAWS 213 Public Law

Jasmin Moran

Coleman-Brown Memorial Award

Top female student in the field of Legal Theory

Harriet Bush

Cullen Employment Law Prizes

Top students in LAWS 355 Employment Law

Karen Belt, Jason van Hattum &

Benjamin Land-Maycock

Faculty of Law Prize in Legal System

Best result in LAWS 121 Legal System

Grace Miles

John Miller Award in Social Justice & Community Development

Anna Whaley

Lord Cooke of Thorndon Prize

Best student entering the Honours programme

Laura Hardcastle

Mario Patrono Prize in Legal System

Highest average grades in LAWS 121, 122 & 123

Grace Miles

Medal of Excellence

Top graduating law student

Adele Taylor

NZ Law Review Prize

Top students over four 200-level Law courses

Laura Hardcastle, Juliet Bull & Jasmin Moran



Quentin-Baxter Prize in International Law

Adele Taylor

Quentin-Baxter Prize in Public and International Law LLM

Julia Caldwell

Robert Orr McGechan Memorial Prize

Best work for VUWLR

Louisa Jackson

Sir Edward Taihakurei Durie Student Essay Competition

Sponsored by the Māori Law Review

Laura Lincoln

Thomson Reuters Prize in Jurisprudence

Best work in Jurisprudence class

Michael Dickson

Thomson Reuters Prize in the Law of Contract

Best work in Law of Contract class

Emma Smith

Val Gormly Memorial Prize

Top student in LAWS 301 Property Law

Lauren Brazier

VicBooks Award – Laws 211

Top tutor in LAWS 211

Anna Whaley & Lauren Brazier

VicBooks Award – Laws 212

Top tutor in LAWS 212

Adele Taylor

VicBooks Award – Laws 213

Top tutor in LAWS 213

Anna Peacey

VicBooks Award – Laws 214

Top tutor in LAWS 214

Sherilyn Olls

VicBooks Award – Laws 301

Top tutor in LAWS 301

Alex Sinclair

COMPETITION WINNERS 2013

Bell Gully Mooting

Duncan McLachlan and Aric Shakur

Minter Ellison Rudd Watts Witness Examination

Emma Smith

Russell McVeagh Client Interviewing

Peter McKenzie-Bridle and

Paul Comrie-Thomson

Buddle Findlay Negotiation

Chamika Gajanayaka and Eddy Grant

Buddle Findlay Junior Mooting

Ollie Feslier Holmes and Eddie Jackson

Chapman Tripp Junior Negotiation

Angela Sargent and Anna Sloan



Student activities 2013



FROM LAW STUDENTS' SOCIETY PRESIDENT

2013 has been a resounding success for VUWLSS. As a team, we have taken VUWLSS from strength to strength. This has been done with an array of initiatives that benefit all facets of student life and the enhancement of the traditional set.

A core addition was the inaugural Bell Gully Garden Party, which added a sophisticated vibe to Orientation Week activities. The students relished the opportunity to dress up, enjoy the afternoon sun and test their skills at croquet in the Wellington Botanical Gardens.

The old favourites such as T-Shirt Night, Cocktail Night and the Law Steins made their return, bigger and brighter than ever. These social events nurture students throughout their journey at Victoria: most students' bonds are developed and fostered at Law Camp; and, poignantly, these very same friendships and their ensuing successes are toasted off at the extremely important Leavers' Dinner.

The Simpson Grierson Study Groups were one of our proudest successes of the year. With the support of the tutors from the 200-level papers, the value of the groups soared. The core focus of the groups moved from being pure study sessions where students shared notes and

chatted, to specialised practice sessions where students ran through past questions so they fully understood how to apply their knowledge in exams. Over a hundred students attended each session and they were very open about the undeniable worth of the groups.

2013 was another strong year for VUWLSS with the legal skills competitions (Mooting, Client Interviewing, Negotiation and Witness Examination).

These competitions are an integral part of learning in law as they provide students with an opportunity to develop the practical skills that they will utilise in the legal profession.

This year, we broke into three of the national finals and Duncan McLachlan was named top mooter in New Zealand. With Duncan and many of Victoria's competitors only in the middle stages of their law degrees, Victoria University has many bright years ahead.

Importantly, these competitions and the honour of winning them will now be enshrined with the erection of the George Barton QC Law Students' Society Competitions Honours Board. This is being installed in December 2013. Thanks must go to the alumni who have backed this initiative and made it possible. This has been a development that has been requested for years and the 2013 VUWLSS team is extremely proud to make it a reality.

Additionally, the year has been marked with core foundational advancements. Most notably, VUWLSS was successfully registered as a charity. This is the biggest structural change in VUWLSS's history and is an important recognition of VUWLSS's core purpose, supporting law students' education.

I am extremely proud of the way the 2013 team has worked, and I am deeply thankful of all the time they have put in. The group has not fractured; it has strengthened. None of VUWLSS's 2013 success could have been achieved without each one of them.

VUWLSS has a bright future – one that I hope more and more law students continue to share in. The whole 2013 team wishes Myles Snaddon and the 2014 team all the best.

Callum Inglis



LAW BALL 2013

The 2013 Russell McVeagh Law Ball was the largest and most successful event in VUWLSS history with more than 650 people in attendance.

We were lucky to host it at the Wellington Town Hall, a far grander and bigger venue than any previous Law Ball. The grand chandelier and giant organ were warmly lit, as were the silk hangings that brought the whole room together and captured the elegance of the evening.

This year, all food and beverages were included. Positively Wellington Venues put on an amazing spread of food and a fine selection of drinks. Most notably, the honey-glazed roast ham was snapped up in less than thirty minutes! Fortunately, the fine platters and hot delights carried on throughout the whole night and kept everyone going to the end.

We were graced with a live five-piece band, Miles Calder & The Rumours. Their folk-style mix of old favourites and original pieces was absolutely adored by the crowd – especially when Wagon Wheel came on! Afterwards, a DJ took the night into the early hours.

There were always going to be big expectations with the event selling out in less than three hours and they were certainly met. The Law Ball yet again maintained its status as one of the flagship events on the Vic calendar for not just law students, but partners, friends and staff too.

WELLNESS WEEK

Wellness Week stemmed from VUWLSS's emphasis on adding direct value to the Law School experience in the field of education. Placed near end-of-year exams, it is focused on enhancing general happiness, alleviating stress and raising awareness about mental health in a non-confrontational and accessible way. Added in 2012, it is the most important addition to the VUWLSS calendar in recent times, especially taking into account the issues that students face.

Proudly, after VUWLSS's pilot run in 2012, all law schools across the country have now taken up the cause and have their own similar initiative.

A lot of this is due to the direction of the New Zealand Law Students' Association, which this year, in association with professionals, compiled a 'Mental Wellness Guidebook' for all New Zealand law students.

Being in its second year, VUWLSS had the opportunity to take Wellness Week up a notch. This year's week consisted of an array of events, all of which focused on different aspects of wellbeing, both mental and physical.

The week began with the Wellbeing BBQ, which was run in conjunction with Ngā Rangahautira and the Pacific Island Law Students' Society. This brought an important multicultural mix to the week and promoted a core value of

accepting and respecting others and expanding one's mind.

This was followed by the annual Patron's Lecture, which was presided over by John Allen (MFAT CEO) and Sir Geoffrey Palmer (VUWLSS's Patron). John Allen touched on an international vision for New Zealand and where a law degree can take you, and this was expertly followed by Sir Geoffrey's reply about the trials and tribulations that one will face on this journey and how one can effectively deal with them.

Other important parts of the week included the inaugural VUWLSS v. VicCom Football match, the much-loved SPCA Puppy Visit, and the distribution of 1800 pieces of free fruit to students throughout the week.

The week finished with the annual Charity Bake-Off. This year's proceeds again went to Youthline to support them with their work in helping young people. This purpose closely ties with Wellness Week, as what is particularly important about Wellness Week is the development of better health habits now so students are in a better position to tackle issues once they join the profession.

Ultimately, VUWLSS is very proud to work with DLA Phillips Fox and other stakeholders in continuing this important initiative and looks forward on watching it grow.

Callum Inglis



LAW REVUE 2013: NOT ANOTHER LAW REVUE!

Following the traditional Wellington Law Revue device with a four-act pseudo-Shakespearean musical interspersed with a bunch of short skits, Revue '13 promised 'there ain't no party like a Law Revue party'. And by all accounts it delivered.

After many months of preparation, rehearsal, and negotiating earthquakes, Revue '13: Not Another Law Revue took to the stage for three nights of pure comedy gold.

The main plot followed the story of Ben (*Morgan Evans*) and Olivia (*Natalie Foy*), lovers star-crossed by Ben's historic conviction under the Unsolicited Electronic Messages Act and Olivia's father Garth McVicar: the zealous head of the Sensible Sentencing Family First Trust. In true rom-com style, Ben and Olivia fell in love at first sight (and, in true law student style, consummated their love on first night), triggering a hilarious set of events on the way to the seven-year anniversary of Ben's conviction and the relief of the Clean Slate Act.

The audience was also treated to several parallel love stories thankfully tied together by the smooth rhymes of Narrator, William Griffith. Mercury (*Blaine Abraham*), long-suffering best friend of Ben made the courageous decision to remove himself from the closet of the friend-zone. Angel (*Liv Guthrie*), younger sister of

Olivia, set out on the advice of her High School Counsellor (*Irene Peter*) to pay her way through law school by getting pregnant. All the while villain Scott (*Paul McGregor*) tried all conceivable means to stop Ben and Olivia getting together.

Of course, being a rom-com, everything worked out for the good guys and everyone got what they (eventually) wanted – even comedic couples Bob (*Ethan Abraham*) and Sally (*Amy Stevens*) and Larry (*Edon Hoppener*) and Becky (*Kariba McGinn*) ended up married, as did the P-smoking John (*Sam Kaelin*) and alcoholic Bronagh (*Poppy Flynn*).

But of course, being a Shakespearean parody, in the end *everybody* died. Except for Scott. His final act took place on a yacht ... in the Marlborough Sounds ...

And then there was a jig. In fact there were lots of jigs, and songs. This year the crowd rocked out to parodies including of Psy's *Gangnam Style*, Spice Girls' *Stop*, Soulja Boy's *Crank Dat*, Grease's *Summer Nights*, Lion King's *Be Prepared*, and more.

There was a full array of political, legal, social, and pop-culture skits including: *Cats* – starring Gareth Morgan; *50 Ways to Lose Your Wicket*; *Law Factor*; *Mrs Rutherford and the GCSB*; *Gigantic Vagina*; *Dunne Wants His Party Back*; and *Parekura's Tangi*. Also well received were the recurring *Inghams Chicken* parodies where the audience found several times that they

definitely "weren't prepared for that!"

Departing from its comfort zone, Revue '13 took on the daunting task of paying tribute to one of the legal profession's greatest and a longstanding Revue supporter, Greg King. In a call-to-arms for all students and practitioners to take time away from the law and remember to enjoy life, the cast took on *Les Miserables' One Day (Case) More*. The crowd understood, and apart from a handful of uncertain titters at the outset, by the end of the song all were standing in memory and applause.

This year's directing team of *Jono Griffith*, *Dave Williams*, and *Annabel Martin* wish to thank the entire production team including in particular, producers *Sophie Gommans* and *Sam Martin*. Revue '13 also wishes to take this opportunity to again gratefully thank its ever-suffering sponsors: Bell Gully, Rainey Collins, Chapman Tripp, Simply Legal, Simpson Grierson, Thomson Reuters, Fuji Xerox, Nga Waka, Porters, and Minter Ellison Rudd Watts.

Did you like what you saw, or maybe what you just read? Well, Revue '14 is already in the pipeline. Revue stalwart *Jade Neale* has put his hand up to direct and is currently putting in place the building blocks for next year's show. If you're interested in being involved, feel free to email wlawrevue@gmail.com for more information.

Jono Griffith

Law graduates 2013

Qualifications granted by the Victoria University of Wellington Council
for the Law Faculty in 2013 at the time of publication:

DOCTOR OF PHILOSOPHY (PhD) IN LAWS

Vo, Lam

MASTER OF LAWS

Ahu, Tai [D]
Anderson, Samuel [M]
Burger, Bernardus
Chinnow, Jessica [M]
Cook, Michael [M]
du Preez, Gideon
Eiffler, Max [M]
Erfurth, Julian [M]
Fetz, Johannes [M]
Gild, Yana
Haji-Khalil, Tarek [M]
Hertwig, Daniela [M]
Ho, Tuong Vy
Hoffmann, Joschka [D]
Illiger, Jana
Jones, David [M]
Lawton, Zoe [M]
Liu, Yan Yun
MacManus, Michelle [D]
McGovern, Danica [M]
Michel, Jens Joerg
Namasivayam, Pratima [M]
Parnell, John [M]
Pham, Thi Van Thanh
Seyring, Corina [M]
Tran, Duc Tuan
Tucker, Shelley
van Hout, David [M]
Yaish, Mohammad Zaher

BACHELOR OF LAWS WITH HONOURS

Blanks, Grace [1]
Blumhardt, Hannah [1]
Courteney, Klaudia [2/1]
Cross, Carissa [1]
Cudby, Cheyne [1]
D'Ath, Richard [2/1]
Devine, Erica [2/1]
Everitt, Frances [2/1]
Garden, Rebecca [1]
Georgiou, Robert [2/1]
Hardy, Max [1]
Harris, Zoe [2/1]
Hill, Holly [1]

Howes, Jennifer [1]
Kemp, Verity [2/1]
Land-Maycock, Benjamin [2/1]
Maltby, Belinda [1]
Neal, Monica [1]
Park, Maya [2/1]
Perham, Elisabeth [1]
Peter, Irene [2/1]
Pfeffer, Katharine [2/1]
Quirke, Nicholas [2/1]
Robinson, Alexander [2/2]
Roughton, Luke [2/1]
Sarma, Anjali [1]
Shaw, Mark [1]
Sinclair, Alexandra [1]
Singh, Premilla [1]
Smith, Nigel [2/1]
Taylor, Adele [1]
Ward, Mallory [2/1]
Watt, Ella [1]

BACHELOR OF LAWS

Aislabie, Zaneta
Alexander, Jessie
Andic, Nikola
Beattie, Harriet
Blumenthal, Laura
Blundell, George
Bridgeman, Caleb
Broadbent, John
Brooks, Gemma
Brown, Jessica
Brown, Courtney
Browne, Tallulah
Butler, Renee
Callus, Peter
Chamberlain, Alice
Chambers, Claire
Childs, Philippa
Chin, Lily
Coats, Morgan
Collins, Richard
Curry, Nelson
De Groot, Hunter
de Villiers, Michelle
Derby, John
Dickson, Michael
Dolden, Amy
Domican, Shane

Donaldson, Scott
Dookia, Laila
Drew, Laura
Driver, Katherine
Easther, Arthur
Edgley, Christine
Enoka, Jessica
Esson, Elizabeth
Farr, Amy
Findlay, William
Fitzgerald-Mansell, Sophia
Fitzmaurice, Luke
Gerrard, Sarah
Gifford, Sarah
Gill, Ione
Goodall, Adam
Gordon, Michael
Govender, Jeryl-lynn
Graham, Charles
Greaney, Claire
Guzman, Joshua
Gyson, Lewis
Hamilton, Andrew
Haw, Kylie Maree
Heads, Kelsi
Hehir, Benjamin
Helm-Choveaux, Georgia
Hepburn, Samantha
Hinton, Alysha
Hitchman, Matthew
Hobbs, Oliver
Hofmann, Rebecca
Howard, Stella
Idris, Fathima
Irvine, Tam
Jan, Safa
Jang, Eunhye
Jeffares, Amelia
Jeffries, Hannah
Joblin, Louisa
Joblin, Leesha
Johnson, Polly
Johnston, Christopher
Jones, Vienna
Katene-Rosa, Quinn
Kean, Lucy
Ker, Anna
Kershaw, David
Kerslake, Frances

Kim, Sohyun
Klepacki, Anna
Lawrence, Nicola
Lee, Sung Yeon
Leonard, Samuel
Lewis, Maria
Lodge, Renata
Longbottom, Benjamin
Loughlin, Cameron
Lyons, Alexander
Mackie, Kelly
Madden, Michael
Majeed, Mothla
Mann, Parush
Manuel, Natalie
Mara, Iotefa
Martin, Samuel
Martin, Mathew
Masson, Rachel
Mawson, Rachel
Mazengarb, Daniel
McCrone, Margaret
McIvor, Christopher
McManamon, Lauren
Meredith, Alison
Miller, Alistair
Moss, Victoria
Murray, Marcia
Neale, Jade
Neser, Graham
Ng, Natasha
Ng, Ken
O'Connor, Alwyn
Ong, Jing Yi
Pang Yi Kui, Esther
Park, Chris
Partington, Kar-Yen
Patel, Kapil
Peck, Brittany
Pring, Jane
Pringle, Rachael
Puri, Tanya
Quant, Sylvia
Rainey, Genevieve
Revill, Lucy
Riddle, Jeremy
Robertson, Claire
Rose, Courtney-Jane
Ross, Danielle
Rousseau, Catherine

Sage, Ivan
Sansons, Courtney
Sax, Natasha
Schouten, Kim
Sebastian, Jessica
Seow, Jennifer
Sheely, Kade
Shelton, Alice
Silverwood, Russell
Singh, Nikita
Smith, Richard
Snowden, Catherine
Sonneman, Scott
Staikopoulos, Leon
Stirling, Amanda
Stone, Linda
Stothart, Leo
Strafford, Jesse
Sudfelt, Katrina
Sun, Zak
Tangaere, Mahinarangi
Taylor, Andrew
Teeling, Llewellyn
Thomson, Amy
Thorburn, Cara
Trezona-le Comte, Mitchell
Tucker, Tara
Van Hove, Marin
van Lamoen, Josine
Veerbeek, Laura
Vinnell, Paul
Wallens, Joanna
Warren, Edward
Whaley, Anna
White, Natalie
Whitehouse, Samuel
Wilkinson, Kelsie
Williams, David
Wong, Abigail
Wybourne, Imogen
Wylie, Olivia
Yi, Yang
Zhao, Yuanfang

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Turak, Jonathan

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VALUM

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Faculty of Law
Victoria University of Wellington
PO Box 600, Wellington 6140
New Zealand

Phone +64-4-463 6366
Fax +64-4-463 6365
Email law@vuw.ac.nz

www.victoria.ac.nz/law



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