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["A Language for Buying Biscuits? Māori As a Civic Language in the Modern New Zealand Parliament"](#) 

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The past two centuries have not only seen the critical endangerment of the Māori language as a language of private, personal communication; it has also seen the almost total obliteration of Māori as a language of the civic sphere – the realm of law, business, national politics and administration. Revitalisation attempts have focused attention on broadcasting, Māori medium education and home-based language development. However the Māori language has been a national civic language (and remains so in the Māori civic sphere) and must become so again if what Stephen May (2008) described as the legitimisation and institutionalisation of the language is to be achieved – the two important steps that lead to genuine and lasting normalisation of the Māori language in all spheres of New Zealand life.. Some small steps in this direction have been achieved; Māori is now revealed by New Zealand Hansard as being to a significant but limited degree a legitimate and institutionalised language of Parliament. That development contains some important lessons for other revitalisation efforts.

"A Coordinated Judicial Response to Counter-Terrorism?: Counter-Examples" 

MAPPING TRANSATLANTIC SECURITY RELATIONS: THE EU, CANADA, AND THE WAR ON TERROR, Mark B. Salter, ed., Routledge, 2010

Victoria University of Wellington Legal Research Paper No. 15/2012

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The chapter assesses Eyal Benvenisti's claim that courts from prominent democratic states have reacted consistently to counter-terrorism measures, coordinating outcomes across national jurisdictions. This claim is conjoined with another, namely that the availability of identical or similar norms (grounded in international law and human rights law) has facilitated this coordination effort. The chapter criticises the suggested phenomena of a 'globally coordinated move' on the part of 'national courts from prominent democratic states' by way of counter-examples. The counter-examples are drawn from cases that are enlisted by Benvenisti as examples of this inter-judicial coordination effort, namely the Supreme Court of Canada's 2007 decision in *Charkaoui* and the House of Lords 2004 *Belmarsh* decision (*A v. Secretary of State for the Home Department*). The relationship of *Charkaoui* to the English and American decisions in *Hardial Singh* and *Zadvydas* is also assessed. The argument is that key instances of reliance on comparative authority and international human rights law in *Charkaoui* (including claims of compatibility with *Belmarsh*), while not simply decorative, do not maintain the level of consistency between the national courts needed to support claims of an 'inter-judicial coordination effort' in response to state counter-terrorism measures.

"What Are We to Do with the Public Law of Torts?" 

New Zealand Journal of Public and International Law, Vol. 7, 2009
Victoria University of Wellington Legal Research Paper No. 16/2012

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This short article uses the occasion of the publication Tom Cornford's book *Towards a Public Law of Torts* to examine current debates in the commonwealth about government liability. While I agree with the author's premise that there needs to be greater sophistication in debates over the compensation for injuries caused through the exercise or failure to exercise public powers, but he argues that the case cannot be made out for the expansion of tort law. I argue that if the lessons of the twentieth century was that

tort law is not a good compensator for personal injury it is unlikely to be a successful mechanism for compensating public harms.

"The Emergence of Neutral Citation"

Oxford University Commonwealth Law Journal, pp. 121-128, 2004
Victoria University of Wellington Legal Research Paper No. 17/2012

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Neutral citation is a form of citation where courts assign a unique sequential number to each of their decisions. The objective is to enable people to identify cases and text in them by reference to a single, unvarying reference, no matter the medium of publication. The sequence corresponds to the order in which courts release decisions throughout the calendar year. Using neutral citation to identify texts is an ancient convention and was used by writers such as Herodotus and Thucydides.

Since the late 1990s, courts in England and Wales, Canada, and Australia have adopted neutral citation. It is expected that New Zealand courts will complete a full transition to neutral citation in the near future.

Added March 2012: The New Zealand Law Style Guide, Second Edition, 2011, available online from the New Zealand Law Foundation, lists New Zealand courts and tribunals using neutral citations as at December 2011.

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

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

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

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

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

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