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Announcements

The Native Land Court in New Zealand, selected papers by Richard Boast QC, Professor of Law, Victoria University of Wellington

Table of Contents

In Re Ninety Mile Beach Revisited: The Native Land Court and the Foreshore in New Zealand Legal History

[Richard Boast](#), Victoria University of Wellington - Faculty of Law

Foreshore and Seabed, Again

[Richard Boast](#), Victoria University of Wellington - Faculty of Law

Contextualising the Decisions of the Native Land Court: The Chatham Islands Investigations of 1870

[Richard Boast](#), Victoria University of Wellington - Faculty of Law

[^top](#)

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

"In Re Ninety Mile Beach Revisited: The Native Land Court and the Foreshore in New Zealand Legal History"

(1993) 23 VUWLR 145

Victoria University of Wellington Legal Research Paper No. 1/2016

RICHARD BOAST, Victoria University of Wellington - Faculty of Law

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The Court of Appeal decided in *In re Ninety Mile Beach* that the Maori Land Court had no jurisdiction to investigate title in the foreshore, the area between high and low water marks. The basis for this decision was that once the Maori Land Court had concluded an investigation of title into a coastal block, customary rights in the foreshore were automatically extinguished. The author argues that the Court of Appeal's reasoning is flawed in some respects, ambiguous in others, and has little relevance to the precise circumstances of Ninety Mile Beach itself.

"Foreshore and Seabed, Again"

(2011) 9(2) *New Zealand Journal of Public and International Law* pp 273-286

Victoria University of Wellington Legal Research Paper No. 2/2016

RICHARD BOAST, Victoria University of Wellington - Faculty of Law

This note considers the Marine and Coastal Area (Takutai Moana) Act 2011, the background to its enactment, the changes it brought about, and the consequences for the development of the law in this area.

"Contextualising the Decisions of the Native Land Court: The Chatham Islands Investigations of 1870"

(2010) 41(3) *VUWLR* pp 623-652.

Victoria University of Wellington Legal Research Paper No. 3/2016

RICHARD BOAST, Victoria University of Wellington - Faculty of Law

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One of the outcomes of the Lost Cases project at the Faculty of Law at Victoria University will be an edition of nineteenth century judgments of the Native Land Court. These decisions have never been reported before. The anticipated date of publication is mid- to late- 2011, and the volume will report leading decisions of the Native Land Court, Compensation Court, and associated bodies from 1865 to 1894. The date of 1894 has been selected as a cut-off for the reason that the Native Land Court Act 1894 established a new appellate body, the Native Appellate Court – today the Maori Appellate Court – which began issuing appellate judgments immediately. Until this point all appeals had been by means of rehearings and no formal appellate structure existed. Future volumes will report decisions of the Native Land Court and Native Appellate Court down to the present day. This article explores the current state of the historiography relating to the Native Land Court, and by reference to the Chatham Islands Investigation of 1870, suggests that a more complex and nuanced approach to the work of the Court is needed. The full texts of the Chatham Islands judgments of 1870 are printed as an Appendix.

[^top](#)

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

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

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

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

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

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

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

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

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