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Welcome to the first e-newsletter from Victoria's Centre for Public Law

This new publication gives substance to the statement that the Centre for Public Law's programme of events and publications is energetic and relevant.

The Centre was established in 1996 by the University Council with funding assistance from the Victoria Foundation. Its aims are to:

- ☒ Stimulate awareness and in interest in public law issues
- ☒ Provide a forum for the discussion of those issues
- ☒ Foster and promote research of these issues

The Centre organises and hosts a range of conferences, symposia, public lectures, seminars and workshops on a wide range of public law topics and issues. It also encourages research by Law Faculty members on these topics, as well as undertaking various projects and producing a number of publications itself.

This newsletter is another initiative to help us communicate with those interested in public law. It is bi-annual and will cover all the Centre's activities.

**Professor A.T.H. Smith, Dean of Law
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Olivia James





OUR PEOPLE



NEW ARRIVALS



Joel Colon-Rios joins Victoria University from Osgoode Hall Law School, where he obtained his PhD and taught as part of the Adjunct Faculty. He previously had a private practice and clerked for the Puerto Rico Court of

Appeal. His primary research interests lie in the areas of constitutional law, legal and democratic theory, and comparative law (with a special interest in Latin American constitutional issues).

His dissertation, titled “The Legitimacy of the Juridical: Weak Constitutionalism, Democracy, and Constituent Power”, explores the conditions that should be met for a constitutional regime to be considered legitimate from a democratic perspective. This academic year Joel will be teaching Comparative Constitutionalism, Advanced Public Law, and Introduction to Case Law.



Mark Bennett has joined the faculty as lecturer, returning to where he gained his undergraduate education. After graduation he joined the faculty as an assistant lecturer while also studying towards an LLM degree from

Victoria, and then went on to do another LLM at Harvard Law School, where he was a Frank Knox Memorial fellow. He is presently also an SJD candidate at the University of Toronto. His research interests include legal and political philosophy and constitutional law and theory, particularly in the areas of democratic constitutionalism and the rule of law. Mark is looking forward to contributing to the work of the Centre for Public Law, especially in the areas of the justification and critique of our constitutional structures from the perspective of democratic legal theory, the political and legal theory behind the doctrines of administrative law, and the place of Maori in the constitution. Articles by Mark on the latter topic can be found in recent issues of the *Victoria University Law Review* (2006) and the *New Zealand Journal of Public and International Law* (2004).



Rayner Thwaites is currently completing his doctorate at the University of Toronto, a comparative study of case law on the indefinite administrative detention of non-citizens in Australia,

the United Kingdom and Canada. He has worked as a solicitor at Mallesons Stephen Jaques, and at the Public Interest Law Clearing House in Melbourne. He has also served as a judge’s associate at the Federal Court of Australia, and as a sessional lecturer in constitutional law at the University of Melbourne. He looks forward to coming to New Zealand and joining the work of the Centre mid-year.

DIRECTORS

Professor A.T.H. (Tony) Smith is Dean of the Faculty of Law and Director of the New Zealand Centre for Public Law at Victoria University of Wellington. He was formerly Professor of Criminal and Public Laws at Cambridge University and a board member of the Cambridge Centre for Public Law.

Recent publications include chapters in ed D. Feldman, *English Public Law* (2nd ed., 2009), entries in eds P. Cane and J. Conaghan, *The New Oxford Companion to Law* (2008), updating the 3rd edition of his book with Sir David Eady, *Contempt* (2005), 2nd supplement (2009). He has recently been working on an article, “Inching Towards an Australian Bill of Rights: Cousinly comments on the Australian National Human Rights Consultation Report (2009)” which is forthcoming in the *University of New South Wales Law Journal*.

Petra Butler’s main focus this year is a conference paper she is giving in May in Australia. The conference is about the different form the “dialogue” between Parliament and the Courts can take. The research undertaken has looked empirically when and in what form Parliament has responded to court decisions and vice versa. Other speakers come from the US, Canada, and Australia for comparative perspectives.

She is also involved in a book project with Marcia Rioux, looking at disability discrimination. Again this will be a comparative study for which she will provide the New Zealand perspective.

Dean Knight is working on a number of projects in the administrative law and local government area. First, he is examining the issue of how best to capture the variable intensity of review in judicial review proceedings. His work is exploring the generic issue, its particular applicant in New Zealand and comparative work on other common law jurisdictions.

He is also working on a number of projects regarding local decision-making, including the role of community views in the modern local government framework and the judicial supervision of local authorities’ law-making functions. In addition, Dean has an interest in the role of Head of State, including the republican question and the role of the Governor-General in the formation of government.

Geoff McLay’s current research interests in public law can be divided into three fields : Accident compensation, government liability and the history of New Zealand, and wider British constitutional and public law. The first two represent his concern with the interaction of public and private law. His research on government liability has been supported by the New Zealand Law Foundation. That research can be found at <http://ssrn.com/author=83312>.

He is currently working on a source book of early constitutional documents with his colleagues from the Lost Cases project at Victoria, www.victoria.ac.nz/law/nzlostcases/default.aspx, and is pursuing a project looking at the constitutional contribution of Sir Robert Stout and Sir John Salmond. He hopes to publish, in the next few years, an annotated edition of opinions of New Zealand solicitors-general and attorneys-general. He is slowly working towards a biography of Sir Robert Stout.

CENTRE FOR PUBLIC LAW RESEARCH PROJECT

The New Zealand Centre for Public Law, in conjunction with the Rule of Law Committee of the New Zealand Law Society, has attracted funding from the New Zealand Law Foundation for a project on the use of urgency motions by the House of Representatives.

The use of urgency to truncate the normal legislative process is an issue of considerable significance for the constitution of New Zealand and for the quality and integrity of the laws made under it. There has, though, been surprisingly little study of the use of urgency in New Zealand.

This project aims to step into that gap. It will provide a contextualised account of the use of

urgency by the New Zealand House of Representatives, looking at how its use has changed over time (with a particular focus on the decades immediately before and after the introduction of MMP) and comparing the New Zealand experience with the experiences of other jurisdictions.

The research project will be led by **Claudia Geiringer** (Senior Lecturer, Faculty of Law, VUW) and **Professor Elizabeth McLeay** (recently retired Professor of Political Science, VUW). The Centre is delighted to announce that Professor McLeay has agreed to take up residence at the Law School in the position of Visiting Senior Research Fellow to the Centre for the duration of the project.

In addition, the New Zealand Law Foundation funding for the project has made possible the appointment of a fulltime research fellow. We are pleased to announce that **Polly Higbee** has agreed to take on that role.

The primary written outcome of the project will be an occasional paper, which is anticipated will be available to the public early in 2011. The project organisers have also agreed to present their research at a Centre public lecture, which will be scheduled in due course.

FACULTY MEMBERS WORKING IN PUBLIC LAW

Caroline Sawyer and some colleagues are just completing the book *Statelessness in the European Union*, which will come out with the Cambridge University Press later this year. She and Brad Blitz are the editors. They have a range of contributors presenting both general commentary and also country studies from the UK, France, Estonia and Slovenia. It is based on a two-year empirical study funded by Rothschild Europe / the Ford Foundation.

Catherine Iorns Magallanes is currently presenting a seminar “The ‘Just Do It’ Approach

to Using Parliamentary History Materials in Statutory Interpretation” at New Zealand universities. This is funded by the New Zealand Law Foundation.

Following the publication last year of his study of conflicts between courts in Public and Private International Law (*Lis Pendens in International Litigation* (Martinus Nijhoff, 2009), **Professor Campbell McLachlan QC** will be turning his research later this year to the topic of *Foreign Relations Law*. This project, for which he has a book contract with Cambridge University Press, will be the first comprehensive modern study of the relationship between Public International Law and the Anglo-Commonwealth legal systems – a field which has seen considerable development in case-law and practice. Campbell has been awarded a Visiting Fellowship at All Souls College Oxford in the Trinity term 2011 to work on this book.



OUR FUTURE PROGRAMME



EVENTS CALENDAR

13-29 August 2010

**New Zealand Law Foundation
Distinguished Visiting Fellow
Professor Graham Zellick**

For more information about Graham Zellick, see www.law.qmul.ac.uk/people/academic/zellick.html

25 August 2010, Wednesday 5:30pm

PUBLIC LECTURE

**“The New Zealand Bill of Rights –
A View From Outside”**

Professor Janet McLean, University of Dundee

26 August 2010, Thursday

CLE SYMPOSIUM:

Programme available soon

**Lunchtime: A Celebration of 20 years of the
Bill of Rights**

2 & 3 September 2010

CONFERENCE

**Reconstituting the Constitution
(in conjunction with the IPS)**

By invitation only

16 December 2010, 5.30pm

ROBIN COOKE LECTURE

**Former Chief Justice of Australia
Sir Anthony Mason**

UPCOMING CONFERENCE

‘Reconstituting the Constitution’

It has been nearly a decade since academics, officials, business leaders and representatives of civil society gathered at Parliament in mid 2000 for a major conference on ‘Building the Constitution’. The aim of this event was to bring together a representative cross-section of New Zealand society, including people with a range of relevant expertise, to explore the foundations of the constitution, debate how it might be developed, and consider some of the critical issues that would need to be resolved if there were to be a new constitutional ‘settlement’.

At the time of the conference New Zealand was undergoing a significant transition in terms of its identity and its sense of independence, and various long-standing political norms were being challenged. Debates about the role of the Treaty of Waitangi, our relationship with the international community and our identity within that community had led many to call for a written constitution of New Zealand. The 2000 conference did not produce a roadmap for future constitutional development and many who took part regretted that. However, it did identify issues that would need to be addressed if major constitutional change were to be attempted.

The purpose of the 2010 conference is to build on the 2000 conference and discuss relevant issues that have arisen over the past decade. Domestic developments, such as the creation of

the Supreme Court, the passage of the Foreshore and Seabed Act 2004, New Zealand’s involvement in the international debate over climate change, the controversy over the regulation of electoral finance, and the continuing debate over the design of the electoral system (including the merits or otherwise of proportional representation and separate Maori representation), have all had an impact on New Zealand’s legal and political culture.

Various recent events, too, highlight that constitutional issues are far from settled. These include the discussion of the appropriateness of the Chief Justice’s comments in regard to offending and prison reform, comments by the Prime Minister favouring a fixed four-year parliamentary term, the government’s decision to hold a further series of referenda on the electoral system, and the reform of Auckland’s governance.

Equally important, the National and Māori Parties have agreed to establish a group to review various constitutional matters. All the indications are that this group will begin its deliberations before our planned conference in early September 2010. Accordingly, it should be possible for the conference to contribute in various ways to this group’s work programme.

Quite apart from this, calls for a conversation on the constitution have come from beyond New Zealand in the form of international treaties on indigenous rights and important environmental issues such as climate change. The UN Committee for the Elimination of Racial

Discrimination (CERD), for example, noted in 2007 that New Zealand lacks a constitution to protect indigenous and other human rights, and stressed the need for an ongoing 'constitutional conversation' aimed at addressing the status of the Treaty of Waitangi in New Zealand law.

Given the significant developments since 2000, together with the range of constitutional issues currently being debated (and/or soon to be debated) in the public domain, there is a strong case for a serious public discussion on the future of New Zealand's constitution. The conference we are planning will provide such an opportunity. Moreover, the focus of the event will not only be

on the issues which will shape New Zealand's future but also on how New Zealanders should be engaged in a constitutional reform process. Several of the invited keynote speakers, Professor Klug and Father Brennan, have first hand experience in the engagement of civil society in the making of a constitution and/or in the process of constitutional reform. Likewise, another keynote speaker, Professor Hazell, has extensive experience in advising governments on a variety of constitutional issues and in evaluating the impacts of particular changes.

In preparing for the 2010 constitution conference we have sought, and received, the

support of the Minister of Justice, Hon Simon Power. We have also had indications of strong support from relevant officials in the Ministry of Justice and other relevant agencies and organisations.

Like the previous conference, the proposed 2010 conference proceedings will be published as a book. This book, like its predecessor, will serve as an important resource for those in the wider community who are working on (or are interested in) constitutional issues, and will document the various perspectives of those present on the constitutional foundations of this country.



OUR RECENT PAST



HIGHLIGHTS

Conferences:

New Zealand Centre for Public Law conference: "We the People(s): Engagement and Participation in Government" (February 2010)

Armed Forces Law Association of New Zealand conference(in association with the University of Canterbury): **"Human Rights and the Military: A Duty to Protect?"** (August 2009)

17th Annual ANZSIL conference: "The Future of Multilateralism in a Plural World" (July 2009)

Public Lectures:

Rt Hon Baroness Scotland QC, Attorney General of England, Wales and Northern Ireland
Professor Bill Buss, University of Iowa

Dulce Piacentini

Professor Jörn Kämmerer,
Bucerius Law School (Hamburg)

Michael Coyle, University of Western Ontario

Professor David G Duff,
University of British Columbia

Professor Albert Chen,
University of Hong Kong

Professor Peter L Straus, Columbia Law School

Hon Chris Finlayson, Attorney-General

Joanna Mossop, Victoria University of Wellington

Mai Chen, Chen Palmer

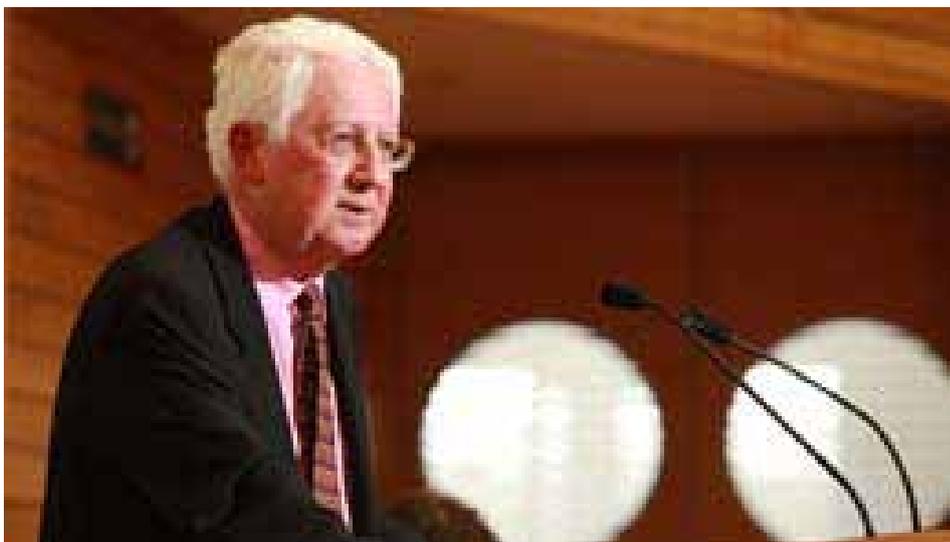
Carwyn Jones, Victoria University of Wellington

Professor Andrew Simester,
National University of Singapore

'Asipeli 'Aminiasi Kefu,
Solicitor-General, Tonga

Hon Justice David Baragwanath,
Judge of the Court of Appeal of New Zealand

Hon Dr Lockwood Smith,
Speaker of the House of Representatives



ROBIN COOKE LECTURE 2009

To what extent is it appropriate for the courts to engage in judicial review of government actions and decision-making?

That was the subject of the 2009 Lord Cooke of Thorndon Lecture delivered at Victoria University of Wellington's Law School in December by Queen's University Professor Emeritus and Victoria University graduate, David Mullan.

Entitled *"Judicial Review of the Executive: Principled Exasperation"*, Professor Mullan explored to what extent the exercise of executive power is justiciable – that is, capable of being examined by the courts.

His starting point was the views of Lord Cooke himself.

"Lord Cooke, in a lecture entitled *"Struggle for Simplicity"* endeavoured to provide a recipe for the simplification of judicial review of administrative action. He propounded the idea that administrative action should be subject to review on the basis of whether or not it accorded with the law, had been taken fairly and

had been taken reasonably."

That said, while endorsing Lord Cooke's views that judicial review of the executive is legitimate in certain limited circumstances, Professor Mullan also acknowledged that it is a highly controversial issue, and – not surprisingly – the New Zealand and Canadian courts have traditionally shown a reluctance to engage in judicial review of high-level executive actions.

A number of commentators cited by Professor Mullan (notably fellow New Zealand law graduate and Canadian academic Professor Jeremy Waldron) argue that it is appropriate for courts to be circumspect in exercising a willingness to judge the merits of government decision-making or actions. They contend there are already well-established mechanisms for the executive to be held accountable, such as the doctrine of ministerial scrutiny, scrutiny by Parliament and, ultimately, accountability to the electorate via the ballot box.

While accepting this argument, Professor Mullan also suggested that the reality does not always live up to the ideal. He argued that executives and legislatures generally have "a

history of acting badly” in times of crises or national security emergencies. Then, turning specifically to Canada, he argued that its democratic institutions such as Parliament are not currently “in reasonably good working order.” In his view, this justifies the courts adopting a more active judicial review role.

“We live at a time when the judiciary, perforce through the existence of Bills of Rights, or Charters of Rights and Freedoms, are in fact engaging with executive policy-making – at least in areas where the rights and freedoms protected by the New Zealand Bill of Rights Act and Canadian Charter of Rights and Freedoms are concerned.”

Professor Mullan cited New Zealand and Canadian case law to illustrate his point. For New Zealand, he examined the celebrated Fitzgerald case of 1976. In Canada, he used three recent, high-profile cases, involving Ronald Smith, Abousfian Abdelrazik and Omar Khadr.

He argued there is growing judicial exasperation with the executive’s conduct and its unwillingness to be held accountable for its actions.

“The extent to which the executive in Canada is exposed to answering meaningfully and consistently for policy decisions is remarkably limited given the way in which the House – Parliament and the provincial legislatures – operate these days.

“The concept of the executive being answerable in Parliament through the doctrine of ministerial responsibility is, in very large measure, an attenuated version of what would have been presented some 40 or 50 years ago. In other words, executive accountability to Parliament as a reality in terms of policy decision making exercises is, in fact, highly attenuated.

“In the country that I now live in, if in fact ministerial responsibility or political accountability is going to be achieved, it may be better achieved through the courts and the exposure ministers get in the sense of exposure to public scrutiny through the publicity that adheres to Khadr, Abdelrazik and the like.

“So there is some encouragement that the Canadian courts have proved themselves willing, where rights-base interests of individuals are at stake, to break beyond traditional barriers of justiciability, to break beyond traditional barriers about non-scrutiny of government decision-making in matters bearing upon the public interest and to at least call upon the government (albeit subject to proportionality analysis or Canadian deference theory or whatever) to justify their positions in the face of situations that indeed exasperate.”

WE, THE PEOPLE(S): Engagement and Participation in Government

Conference, 11 & 12 February 2010

His Excellency the Governor General Anand Satyanand opened this conference with his thoughts on the ambiguity of the place of the people within New Zealand’s flexible constitutional arrangements. He noted the important history of inclusion of peoples in our representative system. While noting the strength of our democratic heritage he left delegates with a challenge that, in light of falling voter turnout, effort needs to be made to reaffirm the principles underlying democracy and our constitution in order to engage all New Zealanders.

The Dean of Victoria’s Law School, Professor Tony Smith, highlighted the changing nature of our democratic system and the inclusion of previously marginalised voices. However, Professor Smith also commented on the unfulfilled need for a responsible press to ensure the accountability of our political elite and the informed participation of all people. The Hon. Simon Power added the need for strong institutions of justice to ensure such participation.

One of the salient issues coming out of the first main theme, ‘Applied Legal Theory’, discussed by Richard Elkins, Professor Margaret Wilson and Professor Jonathan Boston, was what it meant by equality and how it might be achieved in our society. Elkins drew attention to the risk direct democracy, in the form of citizens initiated referenda, poses to voting equality in a representative democracy like New Zealand. Professors Wilson and Boston engaged us in a discussion of the nature and the aspects of our current constitutional framework which threaten such equality – the discord between myth and reality in our discourse of egalitarianism.

Professor Wilson went on to note the somewhat ill-understood role of the political party in the interface between the powerful and the people. An interface which Matthew Palmer focused on, stressing the importance of dialogue between the different elements of our flexible constitution, and the prior need to have ‘dialogue about dialogue’ to determine the place of the people in this constitutional dialogue.

Joining us by video link, Professor Karen Knop of the University of Toronto explored the ways in which sub-state actors can participate in international law through informal multilateralism. She explained that although these actors are not recognized by the international system, they play an important part in putting certain key international treaties

into effect where the federal government either does not want to or cannot ratify treaties to which it is a signatory.

The second major theme to be dealt with was ‘Non-State Actor Participation in International Law’. Professor Harold Koh from the US State Department, speaking from Washington, discussed the Obama administration’s desire to reinvigorate the rule of law in their foreign policy in this the age of globalisation, in particular to ensure the participation of non-state actors in global governance where they may be able to deal with the issues we face in a globalising world. Koh noted the importance of access to resources, knowledge and internet freedom to this sort of participation.

From there the discussion moved to what was the appropriate role for non-state actors in the international arena with Amokura Kawharu discussing the role of such actors in the WTO process and whose interests they actually represent in this process. Claire Charters also took up this question with regards to indigenous peoples participation as independent actors in international law based on a conception of indigenous peoples’ self-determination as a right to participate.

Professor Jeremy Waldron engaged with the overarching theme of the conference with a challenging address on who/what are the ‘people(s)’. His comments provoked a robust debate over the legitimacy of identity-based groups as opposed to territorial-based groups. Many agreed that identity politics, taken to the extreme, can threaten equality, but believing that there were legitimate expressions of identity politics between the extremes which allowed for genuinely equal participation of different peoples.

Sir Geoffrey Palmer closed the first day of discussions by returning to the Governor-General’s warning about declining participation, noting the secretive and elusive nature of our constitutional arrangements mean that participatory opportunities are not always apparent. Consequently there is a responsibility on the part of the political elite to encourage participation.

The opening discussions on the second day addressed the engagement of non-dominant groups. Sascha McMeeking of Te Runanga o Ngai Tahu, Professor Marcia Rioux of York University Toronto, and Elisabeth McDonald of Victoria University explored from the perspectives of Maori, people with disabilities and women and homosexuals respectively the opportunities and barriers to participation in both the international and domestic context. The trend across these peoples was that the system itself did not provide for and encourage their participation. Significant effort and suffering was

required to see their interests taken into account.

Following these overarching analyses of the state on non-dominant group participation we heard three impassioned presentations of first-hand experiences of the frustrations of participating with the government from Edwina Hughes of Peace Movement Aotearoa, Robyn Hunt of the Human Rights Commission and Professor Jane Kelsey of the University of Auckland. The salutary message being that we cannot rest on our laurels in terms of formal structures for participation, but rather critique and push for genuine opportunities to engage government.

This was followed by an exploration by Professor Peter Cane of these very formal constitutional provisions for participation. He discussed the different modes of participation and the extent to which these are regulated within our constitutional framework – noting the piecemeal

nature of the constitutional regulation of citizenship participation in administrative decision-making. Commenting on Cane's contribution, Geddis emphasised the even more fluid nature of New Zealand's constitutional regulation of participation and the questions this raises about the underlying normative concepts. In particular the discussion raised questions of the judicial regulation of who participates and the equality of participation.

The next panel of Hilary Pearse, Hon. David Caygill, Charles Chauvel and Kevin Hackwell engaged in a cost-benefit analysis of participation from citizens' assemblies to select committees. Analysing the cost of consulting and participating relative to the effectiveness of participation in leading to positive reform and good governance. The tensions between the zero-sum nature of political participation and more collaborative participation was also highlighted.

The final address, by Dean Knight of Victoria University, took us down to the neighbourhood to look at the obligation of local government to consult the people and the extent to which this is observed and relied upon in local governance. Conor English, approaching the subject from various capacities, reinforced the importance of local governments' consciousness of these obligations in order to ensure the genuine self-government of local communities.

The conference overall generated much debate – perhaps more questions than answers – and certainly many challenges to all those who participated and their respective sectors to guarantee the life of our democratic system by working to enhance the degree and quality of the engagement and participation of the people(s) in government.



RECENT PUBLICATIONS



NEW ZEALAND JOURNAL OF PUBLIC AND INTERNATIONAL LAW

Volume 7(1):
Special Conference Issue



MMP and the Constitution

- **Dean R Knight**, "Foreword"
- **Ryan Malone**, "Who's the Boss?: Executive-Legislature Relations in New Zealand under MMP"
- **Andrew Geddis**, "The Legal Status of Political Parties under MMP"
- **Jonathan Boston & David Bullock**, "Experiments in Executive Government under MMP in New Zealand: Contrasting Approaches to Multi-Party Governance"
- **André Kaiser**, "MMP, Minority Governments and Parliamentary Opposition"
- **Raymond Miller & Jack Vowles**, "Public Attitudes towards MMP and Coalition Government"
- **Philip A Joseph**, "MMP and the Constitution"
- **Stephen Levine & Nigel S Roberts**, "MMP and the Future: Political Challenges and Proposed Reforms"
- **Jonathan Bradbury**, "The Best of Both Worlds? MMP Electoral Reform and Constitutional Development in Scotland and Wales"
- **PG McHugh**, "Mike Taggart: In Memoriam"

NEW ZEALAND JOURNAL OF PUBLIC AND INTERNATIONAL LAW

Volume 7(2) (forthcoming)

- **Kirsty Gover**, "Tribal Constitutionalism and Membership Governance in Australia and New Zealand: Emerging Normative Frictions"
- **RP Boast**, "So Long Lying Idle without a School: Wi Parata, Wallis and Whitireia, 1848-2008"

- **Miron & Roda Mushkat**, "The Economic Dimension of Hong Kong's Basic Law: An Analytical Overview"
- **Adriaan Barnard**, "Slegs Suid Afrikaners – South Africans Only? A Review and Evaluation of the International Crime of Apartheid"
- **Carwyn Jones**, "Book Review: The Treaty of Waitangi in New Zealand's Law and Constitution"
- **Geoff McLay**, "Book Review: What Are We to Do with the Public Law of Torts?"

OCCASIONAL PAPER

KJ Keith, "Interpreting Treaties, Statutes and Contracts", May 2009, Occasional Paper 19



In this paper, Sir Kenneth Keith draws on his years of teaching, law reform work and judging and considers the process of interpreting treaties, constitutions, statutes, contracts and other legal instruments. This paper considers three questions two enterprises. First, how do interpreters go about their task? Secondly, do formally adopted codifications or statements of the processes, principles and rules assist the processes of interpretation? Finally, whether interpreters and codifiers concerned with one type of legal document can usefully draw on the experience of interpreting other types is addressed.

REGULATIONS REVIEW COMMITTEE DIGEST

Dr Ryan Malone and Tim Miller, 3rd edition, June 2009



The Regulations Review Committee Digest, first published in 2004, provides a general overview

of the role and functioning of the Regulations Review Committee, and synthesises its work into a single, readily accessible source. This 3rd edition updates the Digest with material from reports of the Committee issued during the sitting of the 48th New Zealand Parliament.

VUW LAW REVIEW

Volume 40(3)

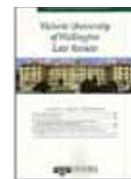
Dame Sian Elias, "Blameless Babes"

Lord Bingham, "What is the Law?"

Claudia Geiringer, "On a Road to Nowhere: Implied Declarations of Inconsistency and the New Zealand Bill of Rights Act"

Claire Charters, "Do Maori Rights Racially Discriminate Against Non Māori?"

Chris Davies, "A Storm Drifting by? Defamation Law and Sport in Australia and New Zealand"



SEEING THE WORLD WHOLE: ESSAYS IN HONOUR OF SIR KENNETH KEITH

Claudia Geiringer and Dean R Knight (eds) Victoria University Press, Wellington, 2008



MAKING THE DECLARATION WORK: THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

Claire Charters and Rodolfo Stavenhagen (eds), IWGIA, Copenhagen 2009
www.iwgia.org/sw40005.asp

