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

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## Announcements

### Sir Kenneth Keith: Collected Papers Part I: Public and Constitutional Law (I)

The Keith Papers collect some of the work of the Right Honourable Sir Kenneth Keith PC. Sir Kenneth studied law at the University of Auckland, the Victoria University of Wellington and Harvard Law School. He was a member of the legal divisions of the New Zealand Department of External Affairs and the United Nations, a law teacher at Victoria University of Wellington, to which he has returned as professor emeritus, a member and president of the New Zealand Law Commission, a judge of appeal in various Pacific courts, an international arbitrator, and a judge of the New Zealand Court of Appeal and Supreme Court and of the International Court of Justice.

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

["The New Zealand Bill of Rights Act 1990 – An Account of Its Preparation"](#) 

(2013) 11 NZJPIL 1

[Victoria University of Wellington Legal Research Paper Series, Keith Paper No. 1/2019](#)

[KENNETH J. KEITH](#), Victoria University of Wellington - Faculty of Law, Victoria University of Wellington - Faculty of Law  
Email: [ken.keith@vuw.ac.nz](mailto:ken.keith@vuw.ac.nz)

This is Sir Kenneth Keith's personal recollection of the thinking and actions which led to the enactment of the New Zealand Bill of Rights Act 1990. The author outlines his involvement in preparing a White Paper on the proposed Bill, a process which addressed issues on the scope of the Bill, the limitations to be placed upon rights, and the consequences for their breach. Emphasis is placed on the distinction between protection by courts through a bill of rights of governmental processes and of the review of the product of those processes. Reference is also made to the wider context in which the Bill was enacted including developments offshore and New Zealand's tradition of legislative

wider context in which the Bill was enacted including developments onshore and New Zealand's tradition of legislative enhancement and protection of rights. While the account emphasises the period through to 1990, the author also comments, in part by reference to that early process, on more recent proposals for change. Abstract by Juliet Bull.

### ["On the Constitution of New Zealand: An Introduction to the Foundations of the Current Form of Government"](#)

Introduction to Cabinet Office Cabinet Office Manual (Cabinet Office, Wellington, 1991) (subsequently updated and republished for the 2001 and 2008 editions of the Cabinet Manual)

[Victoria University of Wellington Legal Research Paper Series, Keith Paper No. 2/2019](#)

**KENNETH J. KEITH**, Victoria University of Wellington - Faculty of Law, Victoria University of Wellington - Faculty of Law  
Email: [ken.keith@vuw.ac.nz](mailto:ken.keith@vuw.ac.nz)

In this introduction to the New Zealand Cabinet Manual, Sir Kenneth Keith outlines the main features, sources and principles of the New Zealand Constitution. He discusses the role of various constitutional actors including the Governor-General, the Prime Minister and Ministers, the House of Representatives, the courts, and the public service. The author also considers the principle of open government and the tension between majority rule and minority rights, then concludes with a discussion on changing the Constitution.

Abstract by Juliet Bull

### ["New Zealand's Constitution: Is it Brilliant or Odd?"](#)

In Geoffrey Palmer (ed), *Reflections on the New Zealand Law Commission*, (Wellington, LexisNexis, 2007) pp. 35-53

[Victoria University of Wellington Legal Research Paper Series, Keith Paper No. 3/2019](#)

**KENNETH J. KEITH**, Victoria University of Wellington - Faculty of Law, Victoria University of Wellington - Faculty of Law  
Email: [ken.keith@vuw.ac.nz](mailto:ken.keith@vuw.ac.nz)

This article begins by emphasising the importance, both in the law reform process and lawyering more generally, of getting the question right. Sir Kenneth Keith illustrates this through examples from New Zealand – the Danks Committee on Official Information and the Royal Commission on the Electoral System – alongside an international example on the responsibility to protect. The author then addresses some of the principles, the standards, or the evaluative tools that should be used to assess a constitution. Following this is a discussion on amending the constitution, a distinctive process given that New Zealand lacks a formal method for doing so. Finally, the article concludes on where constitutional development in New Zealand might go from here.

### ["Public Law in New Zealand"](#)

New Zealand Journal of Public and International Law, Vol. 1, pp. 3-24, 2003

[Victoria University of Wellington Legal Research Paper Series, Keith Paper No. 4/2019](#)

**KENNETH J. KEITH**, Victoria University of Wellington - Faculty of Law, Victoria University of Wellington - Faculty of Law  
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This article reflects generally on public law in New Zealand and on aspects of public law at Victoria University of Wellington. These reflections about the place and development of public law in New Zealand concern the founding of New Zealand, the relations of Maori (or particular hapu or iwi) to the State, the relations of New Zealand to the United Kingdom, the region, and the world, and the relations of the citizen to the State.

Rather than simply stating the law in these areas, Sir Kenneth Keith attempts to give some sense of principle, sources, the balance between continuity and change, some of the principal actors, and the role of the university. Greater attention is given to earlier times since major themes recur during those times, since they remind us that public law is long established, and since later events are better known.

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## About this eJournal

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

Since 1990 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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