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Announcements

Lord Cooke of Thorndon: Collected Papers Part XIX: General Issue

The Cooke Series forms part of the Victoria University of Wellington Legal Research Paper Series (VUWLRPS). Lord Cooke (1926-2006) was one of New Zealand's most prominent jurists and the first and only New Zealander to sit as a judge in the House of Lords. He was a Distinguished Fellow of the Victoria University of Wellington Law Faculty. The faculty gratefully acknowledges the generous support of the Cooke family for their sponsorship of the series. Lizzie Chan and Tim Cochrane, Wellington solicitors, abstracted and posted Lord Cooke's papers.

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

"Damages for Wrongful Expulsion from a Trade Union - A Further Comment"

Robin Cooke 'Damages for Wrongful Expulsion from a Trade Union - A Further Comment' (1954) 17 MLR 574

Victoria University of Wellington Legal Research Paper Series, Cooke Paper No. 84/2017

ROBIN COOKE (1926-2006), Victoria University of Wellington - Faculty of Law

Email: robincookevuw@gmail.com

This is a comment from Mr Cooke on a problem raised by *Bosner v Musicians' Union* [1954] 2 WLR 687 as to whether a member of a union wrongly expelled by a committee or an official of the union can

recover damages from the union funds. Mr Cooke assesses the chief argument against allowing recovery of damages, which is based on the doctrine of agency. He considers that this problem can be avoided by claiming for breach of contract. He also discusses how recovery by a union member may be achieved against both a registered and non-registered union. -- Abstract by Tim Cochrane

"The Condition of the Law of Tort"

Sir Robin Cooke The Condition of the Law of Tort in Peter Birks (ed) The Frontiers of Liability Vol 2 (Oxford University Press, Oxford, 1994) 49

Victoria University of Wellington Legal Research Paper Series, Cooke Paper No. 85/2017

ROBIN COOKE (1926-2006), Victoria University of Wellington - Faculty of Law

Email: robincookevuw@gmail.com

Sir Robin Cooke discusses the current state of the law of torts by drawing on earlier comments of Sir John Salmond on areas of tort law that are still problematic today. These include pure economic loss, nuisance, contributory negligence, and vicarious liability. Sir Robin also comments on the role of the courts in developing tortious liability (particularly Commonwealth rather than English courts), arguing that this is preferable to imperfect legislative solutions, and assesses the extent to which fusion between various areas of civil wrongs has been achieved, in part through a discussion of the concept of fiduciary duty. - Abstract by Tim Cochrane

"The Crimes Bill 1989: A Judge's Response"

Robin Cooke "The Crimes Bill 1989: A Judge's Response" [1989] NZLJ 235.

Victoria University of Wellington Legal Research Paper Series, Cooke Paper No. 86/2017

ROBIN COOKE (1926-2006), Victoria University of Wellington - Faculty of Law

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This is a lecture given by Sir Robin Cooke as part of a series at Victoria University of Wellington in June 1989 on the Crimes Bill that had recently been introduced into Parliament. Sir Robin takes a critical look at different aspects of the Bill and expresses significant reservations about the merits of some of the major features of the Bill in its (then) present form. In particular, he expressed three categories of concern. The first is about the "ambivalent" changes affecting murder, manslaughter, grave wounding and the open-ended insanity clause. The second is the omission of drugs-related crimes. Finally, Sir Robin notes that there is a need for further attention to be given to computer crimes. He views the (then) proposed overhaul of the Crimes Act 1961 as valuable but considers it is a project requiring further work.

"Venire De Novo"

Robin Cooke, "Venire de Novo" (1995) 71 LQR 100

Victoria University of Wellington Legal Research Paper Series, Cooke Paper No. 87/2017

ROBIN COOKE (1926-2006), Victoria University of Wellington - Faculty of Law

Email: robincookevuw@gmail.com

In this article, Mr Cooke discusses the power of the English Court of Criminal Appeal to order a new trial (referred to as the power to grant a writ of venire de novo). He explains the origins of this power and gives examples of irregularities in the trial process that either have, or have not, been held to cause mistrials. Mr Cooke's view is that it is difficult to fashion a satisfactory definition of "mistrial". In his conclusion, he offers his preferred definition of "mistrial" as depriving an accused person of the protection given by essential steps in the criminal process.

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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 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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