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Announcements

Collected papers by the Right Honourable Sir Ivor Richardson
Part VIII Judicial Decision-Making

The Richardson Series collects the papers of the Right Honourable Sir Ivor Richardson, Distinguished Fellow of the Victoria University of Wellington Law Faculty. The Faculty gratefully acknowledges the sponsorship of the New Zealand Branch of the International Fiscal Association, whose generosity funds the Richardson Series.

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IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law
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The following paper was presented on 24 August 1980 by Sir Ivor Richardson to a plenary session of the 35th Conference of the Australasian Universities Law Schools Association held at the University of Otago. In it, Sir Ivor looks at the role of an appellate judge with reference to the New Zealand Court of Appeal. He first sets out the structure of, procedure followed by, and workload of the Court. Sir Ivor then discusses the substantial limitations on creative law making by appellate judges. These are the structure of the adversarial court system, functional limitations including the need to give reasons for a decision, the importance of certainty in the law and the proper relationship between courts and legislature.

"Judicial Decision-Making: A New Zealand Perspective"

Law Institute Journal, 545, 1984

Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 35

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law
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In March and April 1984 Mr Justice Richardson spent six weeks at Monash Law School where he was primarily involved in a postgraduate tax policy seminar series. He also took part in a number of sessions on the role of appellate judges. These speech notes were the basis for this address which he gave at a meeting attended by judges and lawyers from various fields at Owen Dixon Chambers on 15 March and at the Victorian Law Reform Commission on 2 April.

"The Role of Judges as Policy Makers"

Victoria University of Wellington Law Review, Vol. 15, p. 46, 1985

Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 36

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law
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In this paper the Rt. Hon. Mr Justice Richardson considers the work and role of the New Zealand Court of Appeal and also discusses the role of judges as law makers in the New Zealand context. The paper is an edited version of an address given to the Wellington Branch of the New Zealand Society for Legal Philosophy on 6 June 1984.

"Thirteenth Wilfred Fullagar Memorial Lecture: Judges as Lawmakers in the 1990s"

"Thirteenth Wilfred Fullagar Memorial Lecture: Judges as Lawmakers in the 1990s" (1986) 12 Monash University Law Review 35.

Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 37

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In this article Sir Ivor discusses the current role of appellate court judges and what this role might be like in the 1990s. He argues that in some cases judges do make law; for example, when they interpret ambiguous or incomplete statutes of Parliament. In the first section of the article Sir Ivor comments on perceptions about the appropriate role of the judiciary, the types of cases that come before appellate courts and constraints on judicial decision making. Against this background he then discusses the capacity of judges to assess and reflect society's wider values and the material that judges take into account in reaching decisions.

"Changing Needs for Judicial Decision-Making"

"Changing Needs for Judicial Decision-making" (1991) 1 JJA 61.

Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 38

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law
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This paper discusses the problems in ensuring effective decision-making by judges in cases where the legal answer is not clear cut. This is especially the case where judges need to resolve conflicts between competing societal values. The paper examines the difficulties that arise when judges are required to reassess the values underlying legal principles in response to changes in thinking. Effective decision-making will also depend on the judge being able to assess the economic, social or administrative implications of a decision. This requires all relevant material to be put before a judge. The paper concludes that formal judicial educational programmes are the best way to ensure that judges are aware of changes in the societal and economical values and perspectives that must inform their decisions.

"International Fiscal Association Conference: Key Note Address Reflecting on a Career in Taxation and the Art of Judicial Decision-Making"

New Zealand Journal Taxation of Law and Policy, Vol. 2, No. 8, pp. 133, 2002

IVOR RICHARDSON, Victoria University of Wellington - Faculty of Law
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In the keynote address to the International Fiscal Association Conference Sir Ivor Richardson reflects on a career in the field of taxation, some early lessons about the law of taxation, the art of judicial decision making, and some observations on several of the other papers presented at the conference.

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About this eJournal

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.

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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