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## Announcements

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The Palmer Series collects the papers of the Right Honourable Sir Geoffrey Palmer QC, Distinguished Fellow of the Victoria University of Wellington Law Faculty. The Palmer series is sponsored by an anonymous donor whom the Faculty gratefully acknowledges.

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

### **"The Law Reform Enterprise: Evaluating the Past and Chartering the Future"**

(2015) 131 LQR 402.

*Victoria University of Wellington Legal Research Paper Series Palmer Paper No. 81/2015*

**SIR GEOFFREY PALMER QC**, Victoria University of Wellington - Faculty of Law

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This article that appeared in the July 2015 issue of the Law Quarterly Review is a slightly revised version of the 2015 Scarman lecture delivered by the author in the Great Hall of the Middle Temple in March 2015. It reviews the origins of the Law Commissions Act 1965(U.K.) and analyses how successful the Commissions have been. While the performance of the Commissions is found to be creditable, the article argues that after 50 years the experience with the Commissions has not matched the original vision. Codification was one of the original aims but has not been achieved. The explanation for failing to reform the law as envisaged lies in the control over legislation exerted by the Executive and Parliament. New methods are suggested for designing and processing legislation, methods that follow the processes developed by Law Commissions in the Commonwealth. Good governance and the rule of law require that legislation be made in a more transparent, systematic and rigorous way that ensures high quality, durable law. That can be accomplished only by parliamentary reform.

## "The Harkness Henry Lecture - Law Making in New Zealand: Is There a Better Way?"

*Waikato Law Review, Vol. 22, 2014*

*Victoria University of Wellington Legal Research Paper Series Palmer Paper No.82/2015*

**SIR GEOFFREY PALMER QC**, Victoria University of Wellington - Faculty of Law

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This lengthy article reviews the preparation, passage through Parliament, and presentation of the New Zealand statute law. It asserts that law-making is a function of upmost importance to society as a whole and that it needs to be carried out as systematically as possible. It reviews the processes by which laws are made in New Zealand, the scrutiny of Bills by Select Committees, and the increasing bulk of statute law that poses issues from the rule of law point of view. Statute law alone occupies 65,000 pages of the statute book and the average length of statutes is becoming longer. There is an analysis of the effects of MMP on the parliamentary process for considering legislation and the weaknesses of parliamentary scrutiny in New Zealand. These have attracted substantial academic criticism in recent years. There is an analysis of the need for evaluating legislation after it has been passed, to see whether it met the purposes for which it was passed. The paper argues a more systematic means of post-legislative scrutiny should be adopted. While presentation, drafting and accessibility have been improved, there is a need for an Index to the New Zealand statutes. The article concludes with proposals for root and branch reform of the legislative process in New Zealand, so that it produces legislation of higher quality, that the process is less rushed, that routine maintenance of the statute book can be properly performed, and that the processes for making big new legislative schemes be much more systematic, open and transparent.

## "The Resource Management Act - How We Got It and What Changes are Being Made to It"

*[2014] RM Theory & Practice at 22.*

*Victoria University of Wellington Legal Research Paper Series Palmer Paper No. 83/2015*

**SIR GEOFFREY PALMER QC**, Victoria University of Wellington - Faculty of Law

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At a time when the New Zealand Government is proposing significant changes to New Zealand's key environmental protection statute the Resource Management Act 1991, one of the architects traces the Act's origin and history. The Act is based on the principle of sustainable management articulated in the report of the World Commission on Environment and Development in 1987. This chapter in a book analyses the forces that led to the enactment, particularly the National Development Act 1979. It also canvases weaknesses in the administration of the Act and critiques the Government's proposals for reform.

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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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