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Announcements

Domestic Violence Law in New Zealand, Papers by Bill Atkin, Professor of Law, Victoria University of Wellington.

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["Domestic Violence Laws — No Overhaul but Radical Changes"](#) 

(2009) 6 NZFLJ 126-133

[Victoria University of Wellington Legal Research Paper No. 20/2015](#)

[BILL ATKIN](#), Victoria University of Wellington - Faculty of Law

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Domestic violence is a prevailing issue in modern New Zealand society. The Domestic Violence (Enhancing Safety) Bill 2008 was brought in to combat this scourge. This article describes the particular provisions that the Bill brings in. In particular, focus is attracted to the Police orders, which give police the power to grant orders almost equivalent to a protection order, which can be issued only by a judge. A critique of the Bill is given, reflecting concerns about the effects of empowering the police in the way proposed.

["Physical Punishment by Parents: The New Zealand Reform"](#) 

“Physical Punishment by Parents: The New Zealand Reform” in A Büchler and M Müller-Chen (eds) Private Law national

[BILL ATKIN](#), Victoria University of Wellington - Faculty of Law
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Once a small branch of family law, family violence is now one of the biggest topics of the area, reflecting its position as one of the largest social problems in the West. One of the main talking points is the acceptability of corporal punishment of a child by a parent/guardian, whether at home or in public. This chapter describes the legislative process towards banning the defence of corporal punishment in New Zealand, and the vigorous debate that surrounds the subject to this day. It then analyses the law as it stands today, as well as describing subsequent developments since the law change took place.

["Case Note: Surrey v Surrey"](#) 
(2009) 6 NZFLJ 219

[Victoria University of Wellington Legal Research Paper No. 22/2015](#)

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The decision of the New Zealand Court of Appeal in *Surrey v Surrey* represents a paradigm shift in the granting of a protection order. Under s14 of the Domestic Violence Act, a protection order is only granted if it is 'necessary.' This article examines the lowering of the necessity threshold, and looks towards the implications of this landmark decision in the future.

["The Courts and Child Protection - Aspects of the Children, Young Persons, and Their Families Act 1989"](#) 
(1990) 20 VUWLR 319-342.

[Victoria University of Wellington Legal Research Paper No. 23/2015](#)

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The Children, Young Persons, and Their Families Act 1989 heralds a dramatically new approach to child protection cases. The policy is to involve the wider family or whānau in the process of deciding what is to happen to a child who has been ill-treated or abused. The jurisdiction of the courts is constrained unless a 'family group conference' has been held. The Act is not however without its legal ambiguities. This article attempts to analyse the parliamentary intention and the scope for judicial intervention under the new system, including judicial review and High Court wardship. It is concluded that there are many problems of interpretation with the Act and that it cannot be assumed that the rules which were developed under the former legislation automatically apply to the new Act.

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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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