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Announcements

Lord Cooke of Thorndon: Collected Papers Part XIII: 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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"The Law Lords: An Endangered Heritage"

Law Quarterly Review, Vol. 119, p. 49, 2003

Victoria University of Wellington Legal Research Paper Series, Cooke Paper No. 56/2017

ROBIN COOKE, Victoria University of Wellington - Faculty of Law (Deceased), House of Lords (Deceased)
Email: robincookevuw@gmail.com

This is a defence by Lord Cooke of the multiple roles of the House of Lords, which at the time

functioned as the final court of appeal for the United Kingdom. This was a personal defence written in response to proposals at the time (subsequently adopted) for a Supreme Court of the United Kingdom. He begins by critiquing the doctrine of the separation of powers by reference to historical writings. He then outlines the particular functions of the Law Lords, before discussing the 1999 Royal Commission on the Reform of the House of Lords and its subsequent report, with particular emphasis on the submission of Lord Wilberforce. Lord Cooke then provides examples of non-judicial contributions by particular Lords of Appeal, before arguing that the status quo is consistent with art 6(1) of the European Convention on Human Rights. Lord Cooke concludes with a defence of the particular judicial role exercised by the Lord Chancellor. Abstract by Tim Cochrane

"Notes for an Address to mark the completion of the 'Laws of New Zealand', of which Lord Cooke of Thorndon was Editor-in-Chief"

Victoria University of Wellington Legal Research Paper Series, Cooke Paper No. 57/2017

ROBIN COOKE, Victoria University of Wellington - Faculty of Law (Deceased), House of Lords (Deceased)
Email: robincookevuw@gmail.com

These are the notes of a speech given by Sir Robin Cooke at the reception to mark the completion of the Laws of New Zealand, of which Sir Robin was the Editor-in-Chief. Following in the footsteps of Halsbury's Laws of England, Sir Robin comments that the Laws of New Zealand is similar to the English encyclopedia in the style and presentation of information. He also comments that it is timely for New Zealand to have its own encyclopedia as its common law and statutes differ from the United Kingdom (and also differ from Australia, which already had the Halsbury's Laws of Australia). Sir Robin also remarks that the distinctive booklet style of the New Zealand encyclopedia is convenient for carrying the text whilst travelling. He pays tribute to Sir Alexander Turner, to whom the encyclopedia is dedicated. He concludes with remarks on his function as the Editor-in-Chief.

"Australian Law Teachers' Association Annual Conference 1993 Opening Address"

Canterbury Law Review, Vol. 5, 1993

Victoria University of Wellington Legal Research Paper Series, Cooke Paper No. 58/2017

ROBIN COOKE, Victoria University of Wellington - Faculty of Law (Deceased), House of Lords (Deceased)
Email: robincookevuw@gmail.com

This is a revised version of the opening address delivered by Sir Robin at the 1993 Australian Law Teachers' Association Annual Conference in Christchurch in September 1993. Sir Robin begins by discussing his previous address to the Association on the topic of fairness in grey area cases, then comments on the topics of several upcoming Conference speeches. He discusses philosophical issues arising when determining appropriate sentences for child abuse and incest. He then stresses the importance of focusing on the substance of obligations, giving the example of breaches of confidence. He also considers constitutional developments in New Zealand and Australia, in light of the New Zealand Bill of Rights Act 1990 and recent cases of the High Court of Australia. He concludes with a brief obituary for Walter Tarnopolsky, a judge of the Ontario Court of Appeal and a drafter of the Canadian Charter. Abstract written by Tim Cochrane.

"Review of J. Beatson, 'The Use and Abuse of Unjust Enrichment', and A. Burrows 'Essays on the Law of Restitution'"

Robin Cooke, "Review of Beatson and Burrows" (1992) 108 LQR 334

Victoria University of Wellington Legal Research Paper Series, Cooke Paper No. 59/2017

ROBIN COOKE, Victoria University of Wellington - Faculty of Law (Deceased), House of Lords (Deceased)
Email: robincookevuw@gmail.com

This is a book review by Sir Robin of two essay collections. The first one is titled 'The Use and Abuse of Unjust Enrichment', and the second one 'Essays on the Law of Restitution'. Sir Robin discusses unjust enrichment in English law, referring to *Lipkin Gorman v Karpnale Ltd* [1991] 3 WLR 19. He then discusses a related debate between Jack Beatson and Professor Peter Birks on the proper ambit of this principle by reference to a range of cases dealing with quantum meruit. Sir Robin stresses that it is important for the English legal profession to begin taking seriously the merging of law and equity. To demonstrate this, he discusses equitable and common law tracing and refers to *Space Investments Ltd v Canadian Imperial Bank of Commerce (Bahamas) Ltd* [1986] 1 LWR 1072 (PC).

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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