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ADMINISTRATIVE LAW

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|------------------|---|
| Bowie, H. M. | 'Error of material fact' — a new development in the judicial review of administrative power. R |
| Burrows, M. R. | Privative and time clauses. R |
| Burston, G. J. | The application of the Commissions of Inquiry Act 1908 to administrative bodies. R |
| Chan, Y. F. | Deportation Review Tribunal. R |
| Easton, M. J. | The New Zealand Dairy Board — corporation or quango? R |
| Fanselow, J. D. | The law of government, of Parliament and of the judiciary: an example, the Trespass Act 1980. L |
| Freeman, M. | The New Zealand rules of racing: the practice and procedure of judicial inquiries. R |
| Jansen, G. S. | Woolly quangos: an enquiry into the level of government involvement in the wool industry. L |
| Matheson, I. D. | Penal administration and natural justice. R |
| Murray, S. G. L. | Excursion into Quangoland. R |

BODIES CORPORATE AND UNINCORPORATE

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| Morais, J. A. | The amalgamation of unincorporated associations. R |
| O'Regan, M. A. | Statutory controls over take-overs and mergers in New Zealand. T |
| Stephenson, R. K. | The role of the stockbroker as an investment adviser: what duty of care? L |

* L = Legal Writing LL.B(Hons.).

R = Research paper prepared in the LL.M programme.

T = LL.M thesis.

CONSTITUTIONAL LAW

- Cory-Wright, P. W. "All is not well in the state of excitement": a study of a simple 'right to vote' court case which may have implications for the validity of the West Australia Parliament and its actions 1971-81. L
- Crooks, K. N. The military in aid of the civil power. L
- Fanselow, J. D. The law of government, of Parliament and of the judiciary: an example, the Trespass Act 1980. L
- Hird, E. Judges and a bill of rights. L
- Shelton, D. J. Government, the economy and the constitution: a study of the constitutional implications of the Economic Stabilisation Act 1948 and the Regulations made pursuant to that Act. T

CONTRACT

- Francis, C. W. An historical analysis of the allocation of the risk of failure of performance in contracts. T
- Toye, P. J. Agreements "subject to solicitors' approval": a case note on *Provost Developments Ltd v. Collingwood Towers Ltd* [1980] 2 N.Z.L.R. 205. L

CRIMINAL LAW

- Newman, F. Intervention in defiance of unlawful arrest: *The Police v. Bluegum*. L

ENVIRONMENTAL LAW

- Linton, C. E. The *Remarkables* cost award: a nadir for environmental planning appellants? L

FAMILY LAW

- Aikman, H. M. Victims of our institutions: the children of women prisoners. R
- Hollister-Jones, G. C. The relevance of religious affiliation to the law of custody and guardianship. R
- King, B. J. Section 2(2) of the Matrimonial Property Act, 1976: a short section with a lot to answer for. R
- Maskill, J. R. Access to children in custody proceedings. R
- Nyein, M. S. The Family Protection Act 1955: its effect and operation in recent times. R

- Penny, H. J. The legal rights of schoolchildren. R
Snow, M. Legal recognition of de facto relationships. R

INTELLECTUAL PROPERTY

- Koh, G. T. H. Copyright Amendment Act 1980 (Australia) and the reprographic reproduction riddle. L

INTERNATIONAL LAW

- Webb, G. P. Recent moves in managing Antarctica's marine living resources: something fishy? L

LEGISLATIVE PROCESS

- Holland, K. J. Wanganui Computer Centre Act 1976. R

TAXATION LAW

- McDonald, H. C. Section 99 of the Income Tax Act 1976: what constitutes tax avoidance? R
Reddy, P. L. Judicial control of the Commissioner's income tax discretions. T

TORTS

- Cooke, A. J. Compensating injured criminals. L
Stephenson, R. K. The role of the stockbroker as an investment adviser: what duty of care? L

OFFICE OF OMBUDSMAN — ANNIVERSARY ISSUE

Twenty years ago today the Parliamentary Commissioner (Ombudsman) Act 1962 passed into law. A little time later Sir Guy Powles took his oath of office and became the first Ombudsman in the Commonwealth. This issue of the *V.U.W. Law Review* marks the anniversary of the event by presenting a series of articles on the work of the Office of the Ombudsman.

The Law Faculty is very grateful to Sir Guy Powles for contributing to this issue. It is also grateful to Mr. G. R. Laking, the Chief Ombudsman, and Mr. L. J. Castle, Ombudsman, both for their inside views of their work and for their help and co-operation with the researches of the other writers.

The subject of this special publication reflects the Law Faculty's teaching and research interests in public law. Some papers for example, were originally prepared for undergraduate and graduate programmes, including the LLB (Hons) seminar programme on Ombudsmen conducted by Ms. Shelton.

The early New Zealand writing on the Ombudsman principally described the establishment and powers of the office and speculated about its potential. Later work, especially Larry Hill's *The Model Ombudsman* (Princeton University Press, 1976), gave greater attention to what the Ombudsman actually did. Further valuable information has come from the Conferences of Ombudsmen, such as those held in Wellington in 1974 and 1981. There is nevertheless much more to be done if the role of the ombudsmen in handling complaints against public authorities is to be understood and assessed. Mr. Laking has recently noted the increasing interest of the legal profession in the Office (*1980 Annual Report 8*). The specific studies in this issue should indicate ways in which members of the profession might pursue that interest. The studies may also assist in putting into context the extensive commentary on the role of the courts in controlling administrative action.

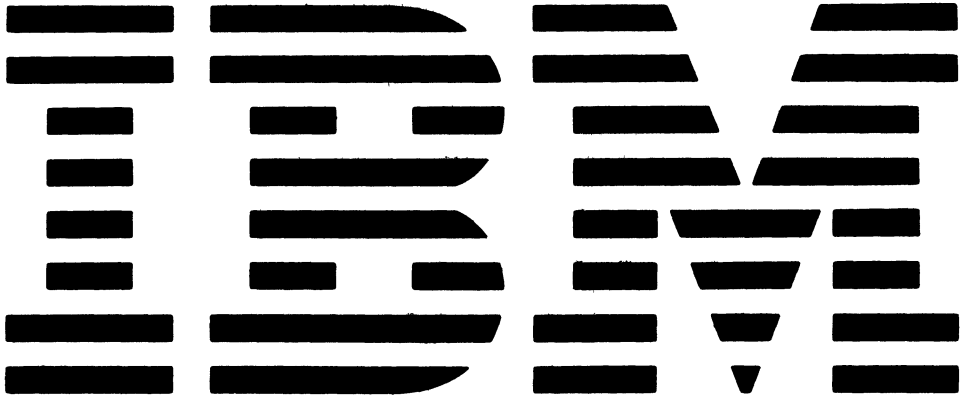
The establishment of the Office of Ombudsman was a major constitutional innovation. Its success is very widely recognised. That success is evidenced in part by its rapid adoption throughout Australia, Britain, Canada and the Pacific. The success is to be measured even more in the careful handling of thousands of complaints. That recalls a passage from John Milton which the first Ombudsman has used from time to time:

For this is not the liberty which we can hope, that no grievance ever should arise in the Commonwealth — that let no man in this world expect; but when complaints are freely heard, deeply considered, and speedily reformed, then is the utmost bond of civil liberty attained that wise men look for. (*Areopagitica*, 1644).

V.U.W.L.R. Editorial Committee

7 September 1982

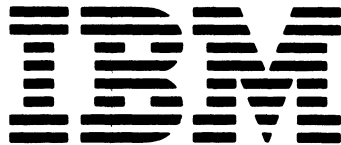
Cover: We gratefully acknowledge the assistance of Mr. Hugh Price in discovering for us this 1874 engraving by Langdell. The idea we wish to suggest is of the figure of Justice in an active rather than a passive role.



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