



# Legal History: New Zealand's Legal History

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Pages in book	42 -
Chapter	3.2

## 3.2.2 The changing legal relationship between Britain and New Zealand

New Zealand's legal history will be analysed under these main themes:

1. The changing legal relationship between Britain and New Zealand;
2. how the law was adapted to the unique New Zealand environment;
3. the ways in which specific individuals influenced our legal history



"customary law": the traditional regulatory practices of a specific society, for example Māori customary law.

New Zealand's legal arena has rocked between various systems. In 1856 the English Laws Act was passed. The Act stated that all applicable English Law (1840 and prior) was inherited. Prior to this, after the signing of the treaty, NZ was operating on English Law by assumption. Before English settlers arrived, New Zealand had Māori customary law, which had operated in New Zealand since the arrival of Polynesian voyagers approximately 600 years before.

There were several steps taken for NZ to become a colony.

# New Zealands Legal System

**Peter Spiller,Jeremy Finn,Richard  
Boast**

## New Zealand's Legal System:

**International Law and Domestic Legal Systems** Dinah Shelton, 2011-09-29 Different countries incorporate and interpret international law in different ways. This book provides a systematic analysis of the domestic constitutional regime of over two dozen countries setting out the status accorded to international law in those countries and its normative weight as well as problems relating to its implementation. This country by country comparison allows the book to examine how the international legal order and domestic legal systems interact and influence each other. Through a series of chapters on the role of international law in 27 countries throughout the world it shows a growing tendency towards greater democratic participation in treaty making coupled with a significant utilization of informal agreements that bypass such participation as well as a role for non binding normative instruments as persuasive authority in domestic judicial decision making. The chapters suggest a stronger attachment to international law in legal systems that have survived a period of repression resulting in many cases in a higher normative status for international human rights instruments in those states. The impact of the European Union on the constitutional order of its member states is also examined.

**The New Zealand Legal System** Duncan Alexander Webb, Jacinta Ruru, Paul Scott, 2016-01. Concerns the structures and processes that exist and shape our law and seeks to provide a method to enable students to understand, interpret and apply legal rules. Publisher information

**Feminist Judgments of Aotearoa New Zealand** Elisabeth McDonald, Rhonda Powell, Mamari Stephens, Rosemary Hunter, 2017-11-30. This edited collection asks how key New Zealand judgments might read if they were written by a feminist judge. Feminist judging is an emerging critical legal approach that works within the confines of common law legal method to challenge the myth of judicial neutrality and illustrate how the personal experiences and perspectives of judges may influence the reasoning and outcome of their decisions. Uniquely this book includes a set of cases employing an approach based on mana wahine the use of Maori values that recognise the complex realities of Maori women's lives. Through these feminist and mana wahine judgments it opens possibilities of more inclusive judicial decision making for the future. This Project stops us in our tracks and asks us how could things have been different. At key moments in our legal history what difference would it have made if feminist judges had been at the tiller. By doing so it raises a host of important questions. What does it take to be a feminist judge. Would we want our judges to be feminists and if so why. Is there a uniquely female perspective to judging. Professor Claudia Geiringer Faculty of Law Victoria University of Wellington. With this book some of our leading jurists expose the biases and power structures that underpin legal rules and the interpretation of them. Some also give voice to mana wahine perspectives on and about the law that have become invisible over time perpetuating the impacts of colonialism and patriarchy combined on Maori women. I hope this book will be a catalyst for our nation to better understand and then seek to ameliorate these impacts. Dr Claire Charters Associate Professor Faculty of Law University of Auckland. The work is highly illuminating and is critical to the development of our legal system. It is crucial not only for legal

education so that students of the law open their minds to the different ways legal problems can be conceptualised and decided It is also crucial if we are going to have a truly just legal system where all the different voices and perspectives are fairly heard Professor Mark Henaghan Dean of the Faculty of Law University of Otago I believe this project is particularly important as few academics or researchers in New Zealand concentrate on judicial method I am therefore hopeful that it will provoke thoughtful debate in a critical area for society The Honourable Justice Helen Winkelmann New Zealand Court of Appeal **The Cambridge Handbook of Class Actions** Brian T. Fitzpatrick, Randall S. Thomas, 2021-02-18 International authors describe class action procedure in this concise comparative and empirical perspective on aggregate litigation

*The New Zealand Law Journal*, 1930 **Central America Mineral Industry Handbook Volume 1 Strategic Information and Mining Laws** IBP, Inc., 2016-11-29 Central America Mineral Industry Handbook Strategic Information and Regulations **A Panorama of the World's Legal Systems** John Henry Wigmore, 1928 **Wrongful Convictions and the Criminalization of Innocence** Kathryn M. Campbell, Barak Ariel, Anat Horovitz, Irwin Cotler, 2025-09-30 This edited international collection explores the nature and extent of wrongful convictions as well as examines the systems in place that attempt to exonerate the wrongly convicted Inspired by two conventions of legal scholars jurists lawyers and law students gathered to examine miscarriages of justice as well as the means to address them in Israel and Canada this compilation presents work arising from those workshops as well as newer research dedicated to examining this phenomenon With a thoughtful and evidence based approach by leading international legal scholars and jurists this book offers a timely analysis given the burgeoning interest in the study of miscarriages of justice across the globe This book is useful for all those interested in studying miscarriages of justice why they occur and how to eliminate or minimize them including students and professionals involved in criminology criminal law and innocence work as well as comparative criminology and legal scholars

The New Zealand Justice of the Peace George Burnett Barton, 1876 The New Zealand Jurist Reports, 1876 **New Zealand Law Review**, 2003 The Colonisation of New Zealand Johannes Stephanus Marais, 1927 A New Zealand Legal History Peter Spiller, Jeremy Finn, Richard Boast, 1995 **The New Zealand Journal of Agriculture**, 1923 **The Statutes of the Dominion of New Zealand** New Zealand, 1922 **New Zealand Dairy Produce Exporter**, 1927 Chartered Insurance Institute, 1905 **Journal** Chartered Insurance Institute, 1905 Appendix to the Journals of the House of Representatives of New Zealand New Zealand. Parliament. House of Representatives, 1871 The New Zealand Jurist Reports New Zealand. Supreme Court (1841-1980), 1877

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