

Faculty of Law Summer Research Scholarships 2026/2027 Projects

Project code:	LAW001
Project title:	The Concept of Co-operation in International Law
Discipline:	Law
Supervisor(s)	Professor Caroline Foster
Contact details	c.foster@auckland.ac.nz
Skills Needed	<ul style="list-style-type: none"> • Achieved well in public international law and have a clear interest in the topic • Good conceptual thinker who is greatly attentive to detail • Experience in international relations studies would be valuable
<p>Project description (Max. 200 words)</p> <p>The International Court of Justice advanced our understandings of general international environmental law in important ways in the 2025 Advisory Opinion on Obligations of States in respect of Climate Change. The Court confirmed the customary international law duty to prevent significant harm to the environment, and also elaborated the customary international law duty to cooperate for the protection of the environment. The ICJ’s findings sit against a backdrop of scholarly literature on international cooperation on climate change mitigation. As Professor Rüdiger Wolfrum explains, duties of cooperation mean duties to enter into coordinated action to accomplish an objective by joint action where a single State’s activity cannot achieve the same result. This project will help build a response to the question of the implications of the customary international law duties referred to by the Court, and an understanding of what multilateral cooperation may require in international law.</p> <p>The summer scholar will assess primary sources and literature on cooperation in international law as a foundation for research grant applications. Under guidance, they will excavate the debate, identifying key strands and practical issues rising in multilateral contexts expected to include oceans, Antarctica, climate change mitigation and/or potentially space.</p>	

Project code:	LAW002
Project title:	Minding the Gap: Comparative Governance of Public-Sector AI in Australia and New Zealand
Discipline:	Law
Supervisor(s)	Associate Professor Marta Andhov
Contact details	marta.andhov@auckland.ac.nz
Skills Needed	<ul style="list-style-type: none"> • Clear, accurate legal writing and careful referencing • Interest in technology law, procurement law, or AI governance is an advantage but not required • Being familiar with ALTeR Research is an advantage, but not required

Project description (Max. 200 words)

New Zealand's 2026 Budget commits to cutting roughly 8,700 public service roles by 2029, with artificial intelligence named as the mechanism to fill the gap. Yet this shift is proceeding without the governance infrastructure that comparable jurisdictions have already built. This project maps that gap. It compares how New South Wales and the Australian Commonwealth govern AI in the public sector against New Zealand's current settings. It pays particular attention to public procurement as the point where these safeguards either hold or fail. Given that the government largely acquires AI through commercial contracts with foreign-owned vendors, procurement rules determine what can be demanded around transparency, auditability, data sovereignty, ongoing licensing cost, and exit. It will document relevant Australian frameworks and procurement instruments, identify the legal levers available within New Zealand's existing procurement and administrative law regime, and assess where reform is needed.

The summer scholar will:

- Gather and organise primary materials.
- Build a structured comparative table mapping each jurisdiction's safeguards.
- Conduct legal research on specific questions.
- Summarise findings in a well-referenced draft that feeds directly into a journal article. Subject to the level of their contribution, they may be acknowledged in the published piece.
- Contribute to framing the article's argument.

Project code:	LAW003
Project title:	Clearing up the confusion around judicial intervention in trustee decision-making
Discipline:	Law
Supervisor(s)	Associate Professor Jane Norton
Contact details	jane.norton@auckland.ac.nz
Skills Needed	Preference will be given to applicants who have completed LAW304/6 Equity and have a good understanding of the law of trusts/equity and trustee obligations.

Project description (Max. 200 words)

The courts have been traditionally reluctant to interfere in the exercise of trustee discretion. New Zealand has recently given the High Court a statutory power of review under Trusts Act 2019, s 126 and this provision is potentially very helpful to beneficiaries. There is little case law in New Zealand, however, on this provision or on review of trustee decision-making more generally. The United Kingdom Supreme Court in *Pitt v Hott* [2013] UKSC 26 purported to clear up the law around correcting trustee mistakes, and it has been adopted in New Zealand. However, it also introduced some confusion around the nature of the duty that must have been breached for the decision to be set aside. This research project addresses this confusion and will provide guidance for judicial application of Trusts Act 2019, s 126.

The Summer Scholar will be expected to:

- conduct legal research on primary and secondary sources on review of trustee deliberation in New Zealand and the UK, and potentially other common law jurisdictions.
- Present this research in the form of written summaries of relevant case law and a literature review.
- Help refine a publication output by discussing the cases and proposed arguments with Associate Professor Norton.

Project code:	LAW004
Project title:	The Taxonomy of Relief Directed to Reversing the Receipt of Unauthorised Gains
Discipline:	Law
Supervisor(s)	Professor Peter Devonshire
Contact details	p.devonshire@auckland.ac.nz
Skills Needed	Preference will be given to applicants who have completed LAW304/6 Equity and have an interest in developing an understanding of unjust enrichment.
<p>Project description (Max. 200 words)</p> <p>I was invited to contribute to The Oxford Handbook on the Law of Restitution (OUP). My particular interest is the taxonomy of relief which reverses the receipt of unauthorised gains in breach of fiduciary duty. I question whether the dynamics of an account of profits can be understood from a common law perspective through the medium of restitution. For example, it can be argued that the award of allowances prevents the principal from being unjustly enriched at the fiduciary's expense and represent a subtraction from the principal's enrichment, as opposed to a reward to the fiduciary. Such reasoning raises profound questions as to whether unjust enrichment is analytically coherent as an adjunct to fiduciary duty.</p> <p>The Summer Research Scholar's project is to:</p> <ol style="list-style-type: none"> (i) Prepare a literature review of all relevant current material. (ii) Identify articles, texts and conference papers. Summarise the principal arguments. Cross-reference citations. (iii) Identify and summarise cases from England, Australia, New Zealand and Canada. State the main facts of these cases, explain the principal arguments and the ratio of the decisions. <p>The Summer Scholar will discuss their research and exchange ideas with the supervisor on a regular basis.</p>	

Project code:	LAW005
Project title:	The Copyright-Creativity Paradox: How Losing Copyright Helps Us Rediscover Artistic Creativity
Discipline:	Law
Supervisor(s)	Dr Joshua Yuvaraj

Contact details	joshua.yuvaraj@auckland.ac.nz
Skills Needed	<ul style="list-style-type: none"> • Background in Arts or Science would be helpful (BA/LLB or BSc/LLB) • Interest in creativity research • Attention to detail
<p>Project description (Max. 200 words)</p> <p>Copyright law and the phenomenon of creativity have a vexed relationship especially since generative artificial intelligence technologies became publicly available in 2022. A forthcoming book project sets forth a novel theory of the connection between the two, based on creativity research (psychology, neuroscience, anthropology etc). Using theoretical and empirical insights from these disciplines, the project will critically evaluate four key copyright doctrines: originality, authorship, the idea-expression dichotomy and permitted uses. I hypothesize that copyright law is structurally incapable of playing more than a secondary, augmentative role in relation to the artistic creative phenomenon. To harness the benefits of artistic creativity in an uncertain world riven by conflict and facing the spectre of widespread automation, we must move beyond the law-centricity that dominates copyright discourse.</p> <p>The Summer Scholar will:</p> <ol style="list-style-type: none"> 1. Compile lists and summaries of relevant cases from the UK, Singapore, Australia, New Zealand, Canada and other common law countries in relation to originality, authorship, the idea-expression dichotomy and permitted uses. 2. Conduct literature reviews of both law and creativity research publications. This may include more science-style systematic reviews of empirical research into creativity from psychology and neuroscience to identify patterns and new insights. 3. Identify other relevant materials as requested. 	

Project code:	LAW006
Project title:	Concurring Judgments in The New Zealand Supreme Court
Discipline:	Law
Supervisor(s)	Professor Michael Littlewood
Contact details	m.littlewood@auckland.ac.nz
Skills Needed	<ul style="list-style-type: none"> • Interest in case-law analysis
<p>Project description (Max. 200 words)</p> <p>It is widely thought that it is unhelpful and even counter-productive for the judges of multi-member courts (meaning, generally, senior appellate courts) to deliver concurring judgments. The theory is that, if the members of the court (or, at least, those who comprise the majority) agree as to the result, they ought to be able to agree also as to the reasons.</p> <p>This project examines the theory through cases in which at least one member of the New Zealand Supreme Court has delivered a concurring judgment. Preliminary research suggests that the theory that judges ought not to deliver concurring judgments is unsound; that it is based on a misconception as to the manner in which the common law evolves; that concurring judgments add a valuable richness to the law that would otherwise be missing; and that appellate judges should therefore be encouraged to deliver concurring judgments whenever they are inclined to do so.</p>	

The Summer Scholar will assist in:

- Identifying Supreme Court cases in which at least one of the judges delivered a concurring judgment; and
- Analysing such cases and, in particular, the differences between the judgments of those who agreed as to the result but not as to the reasons.