



**LEGAL SCHOLARSHIP NETWORK: LEGAL STUDIES RESEARCH PAPER SERIES
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Announcements

Collected Papers by the Right Honourable Sir Ivor Richardson
Part XVI Constitutional Law and Issues Concerning Government Employment

The Richardson Series collects the papers of the Right Honourable Sir Ivor Richardson, Distinguished Fellow of the Victoria University of Wellington Law Faculty. The Faculty gratefully acknowledges the sponsorship of the New Zealand Branch of the International Fiscal Association, whose generosity funds the Richardson Series.

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["Some Constitutional Issues Relating to Government Employment"](#) 

"Some Constitutional Issues Relating to Government Employment" (1956) 4/1 Saint Louis Law Journal 1.
[Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 77](#)

[IVOR RICHARDSON](#), Victoria University of Wellington - Faculty of Law
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This is the first of two articles exploring some of the issues arising under the United States Constitution in respect of the employment of government servants. These articles discuss whether there are any constitutional limitations on the Government's actions or employee's rights in regard to this relationship. The articles examine how constitutional theory and practice affect 1) the distinction between officers and employees 2) the creation of offices and employments 3) the appointment of officers and employees and the matter of senatorial courtesy 4) the removal power and the distinction between the location of the power and the procedures governing its exercise 5) qualifications for office and loyalty oath provisions and 6) executive rules and orders and the declassification problem. This article discusses the first four factors, while points five and six are discussed in Part II (published in (1956) 4/2 Saint Louis University Law Journal 101).

["Some Constitutional Issues Relating to Government Employment \(Part II\)"](#) 

"Some Constitutional Issues Relating to Government Employment (Part II)" (1956) 4/2 Saint Louis University Law Journal 101.
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["Incidents of the Crown-Servant Relationship"](#) 

The Canadian Bar Review, Vol. 33, pp. 424, 1955
[Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 79](#)

[IVOR RICHARDSON](#), Victoria University of Wellington - Faculty of Law
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This article examines the Crown-Servant employment relationship in the UK, although examples from some commonwealth jurisdictions are also included. First, the nature of the civil servant's relationship with the Crown is distinguished from the military servant's relationship with the Crown. The focus of the article is on the former. Second, the article explores the nature and effect of public policy on this relationship. Then, the effect of public policy on the rights of civil servants contained in Crown contracts in regard to dismissal, suspension, transfer, leave, arrears of salary, and pensions is discussed.

["Problems in the Removal of Federal Civil Servants"](#) 

"Problems in the Removal of Federal Civil Servants" (1955) 54 Michigan Law Review 219.
[Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 80](#)

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This paper considers different aspects of the removal of civil servants by the Federal Government. It discusses the government's power to remove civil servants both at common law and under statute, the procedural remedies available to a government worker ousted from office, the loyalty program, and the effect of an invocation by the civil servant of the privilege against self-incrimination.

["Incidents of the Government-Servant Relationship"](#) 

[Michigan Law Review, Vol. 54, 1956](#)
[Victoria University of Wellington Legal Research Paper Series Richardson Paper No. 81](#)

[IVOR RICHARDSON](#), Victoria University of Wellington - Faculty of Law

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This paper focuses on the Government-Servant relationship in the United States. First, the article distinguishes between officers and employees. Then, incidents of this relationship in relation to officers, employees and military servants are explored. These are: the right to a salary, rights during a period of suspension after charges have been laid against a civil servant, rights to a pension, leave with or without pay, promotion and the right to resign.

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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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