

AOTEAROA NEW ZEALAND

WOMEN AND POLITICS NETWORK

July 1996, Issn: 1171-9273

In This Issue:

WOMEN AND THE LAW

ARTICLES

- | | | |
|------------------------|---|------------|
| NAN SEUFFERT | Women in and out of Law | p 1 |
| MARGARET WILSON | A Few Thoughts on Legal Issues Facing Women in Paid Employment | p 7 |

RESEARCH NEWS

- | | | |
|-----------------------|---|------------|
| Moana Sinclair | Pakeha Land Legislation on Maori Land in Aotearoa and the Continuous Resistance by Maori Women | p11 |
| Law Commission | Women's Access to Justice Project | p12 |

ROBIN'S NEWS **p13**

NOTICES **p17**

CONFERENCE DIARY

AOTEAROA/NEW ZEALAND WOMEN AND POLITICS NETWORK

ISSN: 1171-9273

The idea was born out of meetings of the NZ Political Studies Association Conference.

The aim is to promote communication between women teaching, researching or interested/involved in politics/public policy (in paid or unpaid work).

Newsletters are published two/three times a year.

FORTHCOMING ISSUES OF THE NEWSLETTER

Some themes to be covered in forthcoming issues are 'Body Politics', 'Women and the 1996 Election' and 'Women in the Media'. If you are interested in writing an article, have information for our teaching and research news section, a book you would like to review, or information about relevant conferences, please contact:

Dr Heather Devere
Communication Studies Dept
Auckland Institute of Technology
Private Bag 92006
Auckland

Fax (64) (09) 307 9853
Tel (64) (09) 307 9999 ext 5367
Email hdevere@chaln1.ait.ac.nz

WOMEN IN AND OUT OF LAW

by NAN SEUFFERT

Senior Lecturer, University of Waikato School of Law

Domestic violence has a serious impact on the lives of women in New Zealand. Every week a woman in New Zealand is killed or dies as a result of injuries inflicted by an intimate partner.¹ Police attend 40,000 domestic violence incidents per year.² Almost half of all homicides in New Zealand are domestic related.³ Although the vast majority of these homicides are committed by men,⁴ and represent situations where male batterers kill their female victims, some battered women strike back, and kill, their abusers. When women do strike back, it is often after suffering many years of violence which has few, if any, consequences for the abuser. These women have generally sought help from a variety of formal agencies and informal networks; despite any intervention that may occur, the result is usually that the violence increases. Most of the women also attempt, unsuccessfully, to leave the abusive relationship a number of times before striking back.

Feminist legal academics have made heroic efforts to facilitate the evolution, reform and revolution of the law and legal processes in ways that reflect the diverse experiences of women.⁵ These efforts have been a necessary response to the recognition that traditionally the law has tended to reflect the interests of certain groups in society, particularly privileged white men. This article considers some recent developments in the civil and criminal law in New Zealand in order to assess whether these developments reflect women's experiences of domestic violence.

The Domestic Violence Act 1995

The Domestic Protection Act 1982 (the "old Act") created a legal framework for addressing domestic violence. The effectiveness of the legal protection provided to women under the Domestic Protection Act, focusing on judges, police and Family Court proceedings, was evaluated in 1992 and the tendency of the legal system to minimise and trivialise domestic

¹National Collective of Independent Refuges, Inc. ("NCIWR"), *Fresh Start: A Self Help Book for New Zealand Women in Abusive Relationships* (NCIWR, Wellington, 1993) 10.

²GW Ford, 'Research Project on Domestic Disputes: Final Report' (Commissioner of Police, Wellington, 1990).

³In 1993, 24 out of 55 homicides in New Zealand were domestic related.

⁴In New Zealand between 1978 and 1990, 126 women were killed by their male partners and 22 men were killed by their female partners. Paul Huggett, 'Sleeping with the Enemy' (January 1993), *More Magazine*, 31.

⁵Elizabeth M Schneider, 'Particularity and Generality: Challenges of Feminist Theory and Practice in Work on Woman-Abuse' (1992) 67 *NYU L Rev* 520 at 521.

violence and to blame victims for the violence was emphasised.⁶ The law, in word and in application, reflected the perspectives of male abusers much more accurately than it reflected the experiences of women survivors of domestic violence. In response to this evaluation and critique, the Domestic Violence Act 1995 (the "new Act") was passed by Parliament on 15 December 1995, and at this writing is scheduled to become effective on 1 July 1996. The Domestic Violence Act changes the law significantly in ways that should make it more responsive to the experiences of women survivors of domestic violence.

The new Act widens the range of people who can apply for protection orders. The old Act provided for protection orders only to those married and formerly married persons against their spouses and former spouses, and to heterosexual couples who were living or had lived together in the same household. The new Act provides protection for people in a broader range of relationships, including same-sex partners,⁷ family members, people living in the same household and those with close personal relationships.

Under the old Act the criteria that had to be met in order for a judge to award an order prohibiting the abuser from continuing to abuse resulted in many courts refusing to grant protection orders for types of abuse that were not physical, such as verbal threats and emotional abuse. Other courts refused to award orders where the physical abuse had not been recent. These restrictive criteria ignored the experiences of many women who were subjected to severe verbal and emotional abuse, but had not recently been physically abused. Physical abuse is sometimes used by abusers to maintain power and control only when other tactics of abuse are not effective. In addition, abusers sometimes perform trivial acts of abuse to signal to their victims that they can "get" them whenever they like. As one woman stated:

[T]hings that can appear ordinary can actually be intensely threatening if you have been in an abusive relationship and you have to fight on these points that they think are nothing but in actual fact are really crucial to your safety.

The new Act provides for protection orders in response to "domestic violence" which is broadly defined to include physical, sexual and psychological abuse, as well as trivial acts that form a pattern of behaviour that amounts to abuse.⁸ In making the determination to award an order where some or all of the abuse appears minor or trivial in isolation, courts may consider whether the behaviour forms part of a pattern of behaviour which requires protection.⁹

The new Act also allows judges to tailor protection orders to specific situations by imposing special conditions on the abuser that are reasonably necessary for the protection of the victim.¹⁰ The protection orders under the new Act also prohibit a broader range of action on the part of the abuser. In addition, the Guardianship Act 1962 is amended to recognise

⁶Ruth Busch, Neville Robertson and Hilary Lapsley, *Protection from Family Violence: A Study of Protection Orders Under the Domestic Protection Act* (Victims Task Force, Wellington, 1992).

⁷Domestic Violence Act 1995 s.2,4.

⁸Domestic Violence Act 1995 s.3.

⁹Domestic Violence Act 1995 s 14(3).

¹⁰Domestic Violence Act 1995 s 27.

that witnessing abuse of partners has traumatic consequences for children, even where the children are not directly abused. The amendments provide for a presumption against giving custody or access to an abuser where his violence has been established.

While the new Act has taken significant steps towards providing better protection for women survivors of domestic violence, and towards better reflecting the experiences of women, it too may have shortcomings. For example, the new Act provides that breaches of protection orders are offences when committed "without reasonable excuse".¹¹ The old Act did not provide this "out" for abusers, and judges were critiqued for allowing breaches where excuses were argued. Rather than confirming that judges should not consider excuses for breaches of orders, the new Act specifically allows excuses. Determination of whether a respondent has an "excuse" and whether it is "reasonable" could use valuable court time. Further, the excuses are likely to reflect the interests of abusers, and if this determination is made without reference to the experiences of women, it may be subject to the same critiques that have been levelled at the old Act, minimisation and trivialisation of violence.

Another problem with the new Act is that while it broadens the definition of domestic violence for the purposes of awarding protection orders (which largely prohibit the abuser only from doing acts that are already illegal), when it comes to the possibility of interfering with the abuser's property rights, the definition of domestic violence is narrowed. Property orders are intended to allow the abused woman to stay in the joint household with the children, and to prohibit the abuser from entering or occupying the household. Such orders recognise that the abuser, as the wrongdoer, should leave the household rather than forcing the woman (often with children) to leave. Under the new Act, if a woman wants an immediate property order allowing her to occupy the home the Court must be satisfied that the abuser has physically or sexually abused the woman or a child of her family. This narrower definition of domestic violence also applies to the amendments to the Guardianship Act: the presumption against giving the abuser custody or access applies only where physical or sexual abuse is established, not where other forms of abuse are the only type of abuse proven. It is ironic that the new Act, which has the purpose of providing greater protection from domestic violence, broadens the definition of domestic violence, only to re-restrict it in manners that can seriously affect a woman's ability to achieve safety for herself and her children.

When Battered Women Kill: Battered Woman Syndrome in New Zealand

Many writers have long suggested that the law and the courts alike do not provide fair trials for women who kill their abusers. Despite its statements of principle as to the effects of battered woman syndrome, the judgment in *Oakes* will do nothing to dispel their fears.¹²

There have also been developments in the criminal law that relate to women survivors of domestic violence, particularly in the use of battered woman syndrome as part of a self-defence claim. Battered woman syndrome is evidence admitted during a criminal trial through an expert witness, often where a woman has killed a man who has been abusing her

¹¹Domestic Violence Act 1995 s49(1).

¹²Jeremy Finn, 'Oakes: Case and Comment' (1995) 19 Criminal Law Journal 291.

for an extended period of time. While many battered women who kill their abuser do so during the course of a direct physical confrontation,¹³ others kill their abuser when he is asleep or has his back turned.¹⁴ The law of self-defence has evolved in response to the types of violence for which men are likely to be prosecuted, such as bar-room brawls and other types of violence where the people involved do not have an ongoing intimate relationship.¹⁵ The result is that women who kill their male intimate partners are likely to be more harshly punished than men who kill their female intimate partners.¹⁶

Feminists are debating the causes of this inequity.¹⁷ Some point to the structure of self-defence and other criminal laws and argue for law reform. Others note that the legal rules are broad enough to accommodate the women's claims of self-defence, but that the rules are not fairly applied by trial judges when the defendants are battered women.¹⁸ In addition, research reveals that in cases where abused women kill their abusers, judges and jurors are influenced by stereotypes of domestic violence and negative stereotypes of women.¹⁹ These stereotypes project images of women provoking violence by "nagging" or other actions, and of women as masochists who enjoy violence.²⁰ Domestic violence is seen as a relationship problem, where "it takes two to tango" rather than as serious violence inflicted by a male perpetrator on a female victim. It is assumed that women cannot be reasonable, that women who kill are "crazy",²¹ and that battered women are free to leave abusive relationships at any time.²²

In response to these inequities, feminists began in the late 1970s²³ and early 1980s²⁴ to develop the use of expert testimony in prosecutions of battered women for killing their abusers. This expert testimony became known as "battered woman's syndrome" testimony. The Court of Appeal of New Zealand has recently affirmed the use of battered woman syndrome in murder trials where issues of self-defence, provocation or duress are raised.²⁵ Battered woman syndrome evidence is widely recognised as serving at least two purposes in these trials: first, to assist the jury in evaluating the reasonableness of the woman's actions

¹³Elizabeth A Sheehy, Julie Stubbs and Julia Tolmie, 'Defending Battered Women on Trial: Battered Woman Syndrome and its Limitations' (1992) 16 Criminal Law Journal 369, 371.

¹⁴Elizabeth M Schneider, 'Equal Rights to Trial for Women: Sex Bias in the Law of Self-Defence' (1980) 15 Harv CR-CI LR 623, 643.

¹⁵For a comprehensive socio-historical account of the development of the laws of self defence, see C K Gillespie 'Justifiable Homicide: Battered Women, Self-Defense, and the Law' (1989).

¹⁶Angela Browne, 'When Battered Women Kill', New York, Free Press (1987) 11.

¹⁷Above n13 at 372.

¹⁸Holly Maguigan, 'Battered Women and Self-Defense: Myths and Misconceptions in Current Reform Proposals' (1991) 140 U Penn LR 379,383 and 386.

¹⁹Elizabeth M Schneider, 'Describing and Changing: Women's Self-Defense Work and the Problem of Expert Testimony on Battering' (1986) 9 Women's Rights L Reporter 195,199.

²⁰Above n13 at 375-376.

²¹Elizabeth M Schneider, 'Dialectics of Rights and Politics: Perspectives from the Women's Rights Movement' (1986) 61 NYU LR 589, 607.

²²Daniel J Brodsky, 'Educating Juries: The Battered Woman Defence in Canada (1987) 25 Alberta LR 461,464.

²³Lenore E Walker, *The Battered Woman* (1979)

²⁴Lenore E Walker, *The Battered Woman Syndrome* (1984)

²⁵*R v Oakes* [1995] 2 NZLR 673.

as required by self-defence, and second, to educate the judge and jury about the context of domestic violence. Thus battered woman syndrome is not a defence in itself; it involves the admission of expert evidence to assist the jury in deciding whether other defences apply to a particular case.

Battered woman syndrome is based on the cycle of violence theory of domestic violence, which is said to produce the psychological consequence of "learned helplessness" in battered women. The cycle of violence begins with a tension building phase, which may include abusive behaviour on the part of the man, and where any physical abuse is likely to be minor. The tension eventually builds into an explosion of severe violence on the part of the abuser. The third phase is one where the batterer exhibits contrite and loving behaviour in an attempt to convince the woman to stay in the relationship. This cycle is repeated many times in an abusive relationship and over time the frequency and severity of the violence tends to escalate. As the relationship progresses and the violence escalates, the amount of time elapsing between the tension building and contrition phases lessens. The number of batterers who express remorse as the relationship progresses and the violence escalates also decreases.

This repeated cycle of violence is said to result in "learned helplessness" on the part of victims of domestic violence. Learned helplessness is said to explain why women do not leave the battering relationship. The abuse in domestic violence situations tends to be arbitrary, and unconnected to any attempts on the part of the woman to change her behaviour to stop it. The woman is left with a sense of lack of control, loss of self esteem and passivity even during periods of relative calm. This psychological state is known as "battered woman's syndrome". Despite its widespread acceptance and apparent success in court, battered woman syndrome has been the subject of much critique by feminists.

In New Zealand the case of *R v Oakes*²⁶ illustrates well some of the feminist critiques of battered woman syndrome. Gay Oakes testified that Douglas Gardner physically, verbally and mentally abused her during most of their eleven year relationship.²⁷ She testified that he also raped her three times and sexually abused her daughter by another marriage. She left the abusive relationship and went to women's refuges with her children on a number of occasions, but he inveigled her to return with promises of better behaviour. She obtained protection orders, but the orders were not "served" on Doug by the bailiff, rendering them ineffective. She laid criminal complaints with the police, but no action was taken. Eventually one night, as Gay testified, his threats, and the cumulative effects of the eleven years of abuse, put her in such a state of fright and anxiety that, in a panic, she put some drugs that she found in the kitchen into a cup of coffee that he ordered her to prepare for him. He became comatose and later died.²⁸

²⁶ibid.

²⁷This description of the relationship is based heavily on Gay's testimony at the trial court and information in the Court of Appeal decision. Some of Gay's testimony regarding the violence is corroborated by witnesses.

²⁸Some of Gay's testimony about what actually happened on the night that Doug died was controverted by the prosecution, but this account is sufficient for the purposes of illustrating some of the problems with battered woman syndrome.

An expert witness testified that Gay was suffering from battered woman syndrome at the time that she killed Doug. The arguments by the prosecution in response illustrate one of the major critiques of battered woman syndrome. The prosecution argued that Gay did not have battered woman syndrome because all of her initiatives were inconsistent with the passivity that battered woman syndrome describes.²⁹ These initiatives included leaving the relationship to go to women's refuges, complaining to the police, applying to the courts for protection orders, attempting to keep Doug out of the house and placing the drugs in his coffee. It is ironic that while battered woman syndrome was developed to help to explain to judges and juries why women do not leave abusive relationships, its use can cause any attempt an abused woman does make to leave the relationship and to protect herself and her children to be used against her.

Feminists have therefore critiqued the "learned helplessness" aspect of battered woman syndrome as inconsistent with many women's experiences of domestic violence. It has also been argued that the characterisation of abused women as susceptible to a psychological "syndrome" perpetuates the negative stereotypes of women that development of battered woman syndrome set out to confront.

The focus on the question "why didn't she leave the abusive relationship", which is implicit in battered woman syndrome, has also been critiqued. Most battered women who kill make several attempts to escape abusive relationships before killing their abusers. These attempts to leave are unsuccessful not because the women are psychologically impaired, but because the batterers pressure the women to stay in the relationship and society supports the batterers. Further, even the focus on her leaving has been challenged as resulting from gender-biased assumptions about autonomy and the ability to exit. These women may have several children, few friends as a result of the abuse, and little or no access to economic resources. They have very real experiences of attack by an abuser who is rarely punished for his actions and who is supported by friends, family and government agencies in finding them when they do try to leave. Do they really have the "choice" to leave? Further, much recent research has demonstrated the prevalence of stalking of battered women by the abusers and the unavailability or ineffectiveness of the police in protecting women. Abused women who kill have often exhausted all other options and are making a desperate attempt to stop the violence against them and often their children as well.

Finally, the development of battered woman syndrome into a restrictive category has been found to allow positive results only for those women who meet the "good" battered woman image. Women who are alcoholics (often as a result of the abuse), who do not meet the demanding standards of "good" mothers (even under the constraints of severe and repetitive physical abuse), women of colour and lesbians are unlikely to benefit from the positive developments provided from battered woman syndrome.

In response to these critiques, feminists have commenced the development of other defence strategies for abused women who kill their abusers. These strategies range from rewriting battered woman syndrome to more accurately reflect women's experiences, to highlighting the "learned helplessness" of *society* rather than abused women in response to domestic

²⁹Above n25, Trial Court transcript at 168-169.

violence. They include new forms of expert testimony, such as the "entrapment" theory, which focuses on the campaign of the abuser to gain and maintain power and control of the woman and her reasonable responses.

The work of feminists such as Ruth Busch in spurring civil law reform to provide better protection for abused women, as discussed in the first part of this article, is also crucial to ensuring that abused women obtain effective responses to domestic violence, rather than being left to kill in desperation.

Conclusion

Recent developments in both civil and criminal laws that apply to women survivors of domestic violence have been spurred by feminists' critiques that these laws have not reflected the experiences of women. Some positive developments in the law have resulted from these critiques, but further changes, and no doubt further heroic efforts on the part of feminists, will be required to achieve the feminist goal of reflecting the diverse experiences of women in the law.

A FEW THOUGHTS ON LEGAL ISSUES FACING WOMEN IN PAID EMPLOYMENT

by **MARGARET WILSON**

Margaret Wilson is a Professor of Law, University of Waikato. Her research interests include the relationship between law and public policy, in particular, the relationship between women, law and public policy. Currently, she is researching the implications of the Employment Contracts Act for women, and is also updating her 1984 Survey of Academic Women in New Zealand Universities.

Although much is being written about the effects of the process of restructuring, there is still little research on the specific impact this policy has had on women. This is partly because economic rationalism does not recognise gender differences, and partly because issues relating to women are not a priority on any policy agenda. Although election year will bring a renewed political interest in women, that interest is unlikely to be sustained and translated into policies effecting structural change. This is because gender issues are now constructed as women's issues. It is women as individuals that are the focus of policy, not the experience of women as a social construct. The individualisation of women's issues in policy terms, is consistent with the dominant policy paradigm of economic rationalism.

This change in definition and categorisation of policy issues relating to women is seen in many areas, but my own research has concentrated on women in paid employment. I have been particularly interested in the legal construction of women in paid employment. This

work began with lobbying for the legal right to equal pay and equal employment opportunity in the early 1970s, and has continued with a process of lobbying followed by analysis of such legislation as the Human Rights Commission Act, now the Human Rights Act 1991, the Maternity Leave and Employment Protection Act, now the Parental Leave and Employment Protection Act 1982; the State Sector Act 1988, with the good employer/equal employment opportunities provisions; the short-lived Employment Equity Act 1990; and currently the Employment Contracts Act 1991, which is the primary statutory instrument determining the legal rights of women in paid employment.

The legislation over the past twenty five years has been founded on the basic premise that men and women have equal rights before the law. This proposition is a fundamental tenet of the common law. The traditional legal understanding of equality has been in terms of sameness, that is, men and women are equal if they are treated the same way. Traditionally then the law was interested in formal equality only. This construction of equality assumed that the male experience was the dominant experience to which all women must conform to be equal.

The limitations of this interpretation of equality was recognised by feminists lobbying for equal pay in the 1960s. This is why the argument was always for equal pay for work of equal value. This concept recognised that equality for women could never be achieved though women being treated in the same way as men. Such a simplistic notion ignored not only the obvious biological differences, but also the social construction of women's role as subordinate to that of men. A mere legal pronouncement of equality between the sexes was not going to remove such obstacles of inadequate child care, no paid maternity leave, and sexual harassment, which prevented women from fully participating in the paid workforce.

The notion of formal equality also did not recognise the legitimacy of difference. It did not question that the male norm should be the dominant norm. It did not acknowledge the legitimacy of the experience of women as attracting rights without reference to the male experience. The achievement of formal equality then was relatively easily achieved through such legislation as the Equal Pay Act and the Human Rights Act. It was soon demonstrated to be inadequate in changing the reality for women in paid employment because it was almost impossible to enforce. The Equal Pay Act 1972 did achieve an adjustment to women's pay rates, so that women's average ordinary time hourly pay was 80 percent of that earned by men. Any further reduction however depended on structural changes, such as women moving into higher paid occupations, which in turn depended on increased education and skills, and access to affordable quality child care.

The removal of these obstacles required more than legislation bestowing on individual women the right not to be subjected to discriminatory behaviour because of their sex or marital status, which was the only legal remedy under the Human Rights Act. What was required was that the state take responsibility to remove these obstacles. This was the strategy pursued by political feminists who developed the policy of employment equity in the 1980s. This policy required that the equality of women be constructed not as an issue of individual legal rights, but as an issue of state responsibility. The translation of this policy into legal rights and obligations represented a major challenge to the common law, that has resisted recognition of group or collective rights. It is only through legislation enacted by Parliament that women could obtain legal recognition of their right to be treated equally in reality.

Since traditionally governments have led by example when introducing new employment practices, the first policy initiative was to amend state sector employment legislation to provide for a legal obligation of state institutions to pursue equal employment opportunities programmes. It is ironic that such a provision was achieved in the State Owned Enterprises Act 1987 and the State Sector Act 1988, which also contained the provisions for the restructuring of state institutions to subordinate their role and functions to that of private sector institutions. Women had a weak bargaining position in the policy process in the 1980s and 1990s. The Ministry of Women's Affairs provided some support for a feminist policy agenda, but it was only established in 1985, so could not substantively influence the economic rationalist agenda for restructuring. The political feminists did retain some influence, which increased once the architect of the restructuring, the Minister of Finance, Roger Douglas was replaced.

The statutory expression of the feminist policy agenda for the employment sector was enacted in the Employment Equity Act 1990. This Act required the parties to the employment contract to take responsibility for the revaluation of work on a gender-neutral basis. It further required employers to set their own targets on implementing equal employment opportunity programmes. Again the emphasis of the legislation was to place the responsibility for implementing substantive equality on those parties who had the power to effect change, namely, the employers. The legislation provided the framework for changing discriminatory work practices into non-discriminatory practices. It also provided the legitimacy for women to assert equality as a right.

The repeal of the Employment Equity Act and the enactment of the Employment Contracts Act 1991 marks a reversion to the role of the law to provide for formal equality only. It also firmly places the responsibility for achieving that equality back onto the individual woman. Rather than the State assuming responsibility for creating the conditions for substantive equality for women, individual employees and employers are required to create for themselves rights and obligations through negotiating an employment contract. The only employment rights women now have are those achieved through their employment contract. While women retain some statutory rights under the Parental Leave and Employment Protection Act, it is generally acknowledged that the Equal Pay Act is unenforceable under the regime created by the Employment Contracts Act. The rights not to be subjected to discriminatory action because of sex or marital status remain under the Human Rights Act, but are becoming increasingly difficult for individual women to access.

The Employment Contracts Act rejects the concept of equality as a policy objective and replaces it with the notion of equity. Precisely what is meant by the notion of equity is unclear, but is worthy of closer research. At its simplest level, the argument appears to be that equality assumes an outcome, whereas equity does not. Equity contains an implication of flexibility that is deemed consistent with the notion of the principles of the market determining the allocation of resources. It may be that equity is more capable of accommodating the need to acknowledge the difference amongst women. If there is a rejection of the notion of gender because it implies the need for structural change, then the language of women and equity is more consistent with the individualism of economic rationalism.

It is these issues that require further legal research. There is also a need to analyse the policy approach of the courts under a legislative regime that incorporates the ideology of economic rationalism. After a period of judicial activism in the Court of Appeal under Lord Cooke, in which the courts assumed responsibility to consider notions of justice and equity when interpreting legislation, the new Court of Appeal appears to be pursuing a more conservative approach. The recent Court of Appeal case *Ivamy v N Z Fire Services Commission* in which the judicial support for collective bargaining was withdrawn, would indicate the court is reverting to its traditional role of interpreting legislation on its provisions, with little reference to the context in which the legislation was enacted or operates. There are good constitutional arguments for the courts to provide a remedy where there is a grievance.

New Zealand is currently experiencing a transformation of its institutional framework, in both the public and private sector. The consequences of this transformation are likely to impact detrimentally on the majority of women, because of their pre-existing position of inequality. The role the law plays in the process of transformation will be a crucial one for both men and women. It is one however that is currently little understood and will hopefully capture the attention of feminist researchers.

References

Reports

Beyond the Barriers: The State, The Economy and Women's Employment 1984-1990, National Advisory Council on the Employment of Women (1990).

Equal Pay in New Zealand, Report of the Commission of Inquiry (1971), Government Printer, Wellington.

Equal Pay Implementation in New Zealand, Report of a Committee Appointed by the Minister of Labour (1979), Government Printer, Wellington.

Equal Pay Study: Phase One, Department of Labour (1987).

Equal Pay Study: Phase Two, Department of Labour (1987).

Report on the Working Party on Equity in Employment (1991).

The Role of Women in New Zealand Society, Report of the Select Committee 1975), Government Printer, Wellington.

Towards Employment Equity, Report of the Working Group on Equal Employment Opportunities and Equal Pay (1988).

Women and Change: A Study of New Zealand Women, National Council of Women of New Zealand (1985).

Books/Articles

Corner, Margaret, *No Easy Victory* (1988) NZ Public Service Association

Parr, K., 'Employment Equity: The Gendered Emphases of Legislation and Policy and the Implications for Practice in New Zealand', chapter 6 in Olsson, S. ed, *The Gender Factor: Women in New Zealand Organisations* (1992) Dunmore Press, Palmerston North, pp 105-117.

Sayers, M. and Tremaine, M. eds (1994) *The Vision and the Reality: Equal Employment Opportunities in the New Zealand Workplace*, Dunmore Press, Palmerston North, pp 113-128; pp 188-1298.

Wilson, M. 'Employment Equity Act 1990: A Case Study in Women's Political Influence 1984-90', Deek and Perry, eds, (1992) *Controlling Interests*, Auckland University Press, Auckland, pp 113-131.

'Towards a Feminist Jurisprudence in Aotearoa', chapter in *Feminist Voices: A Women's Studies Text for Aotearoa/New Zealand*, du Plessis (ed), Oxford University Press, 1992.

'Women and the Labour Party', chapter in *The Labour Party After 75 Years*, Margaret Clark (ed), Occasional Publication No.4, Department of Politics, Victoria University of Wellington (1992), pp 35-49.

Wilson, M., 'Contractualism and the Employment Contracts Act 1991: Can They Deliver Equality for Women?' (1994) 19(3) NZJIR, 256-274.

'The Effect of New Zealand's Policy of Economic Liberalisation on Equal Employment Opportunities for Women', Pauline Carroll (ed) (1995) *Women in Leadership Project 1994 -Public Lecture Series*, Edith Cowan University, Brisbane, pp 49-64.

RESEARCH NEWS

MOANA SINCLAIR: BA, Tchg Dip. LLB, Jnl C/T
Moana Sinclair is studying for a Masters in Law and works at the Youth Law Project (inc) in Auckland.

Summary For:

PAKEHA LAND LEGISLATION ON MAORI LAND IN AOTEAROA AND THE CONTINUOUS RESISTANCE BY MAORI WOMEN

(A paper given in Women and the Law, Auckland Law School by Moana Sinclair)

This paper is approximately 8,000 words long. Much of the research is gained from an analysis of writers, academics, and historians such as Anne Salmond, Angela Ballara, Dr Lynda Tuhiwai Smith, Dr Douglas Sinclair, Peggy G. Koopman-Boyden, Margaret Orbell, William Blackstone, Judge Edward Durie, David Lewis, Judge Norman Smith, Apirana Tuahae Mahuika, James Cowan, Claudia Orange, and other writers.

The paper deals with the status of Maori women before the arrival of tauwiwi to Aotearoa. It looks at comparisons of how western systems viewed women and then the place of women in traditional Maori society. The paper discusses the Maori world view and Maori land tenure. The male and female complementarity that traditional Maori society practised are also examined.

A case study of Rangi Topeora, a woman leader of Ngati Toa Rangatira gives an example of a Maori woman who held rank in her tribe. A closer look at various Maori women who signed the Treaty of Waitangi is covered paying attention to Maori male and tauwiwi male behaviour at the time when British officials collected signatures from the various "chiefs" amongst the tribes.

Examination of the English Common law and its impact on Maori land is covered focusing on the various Maori women who resisted the implications of Pakeha law. This is tied in with the Kotahitanga (The Maori Parliament) and the newspapers that were administered by Maori women of the time. This is followed by specific Pakeha land legislation that undermines Maori women who had and have mana over land. A discussion on how colonisation has affected Maori male behaviour toward women is discussed also.

Finally, an examination of contemporary resistance by Maori women is dealt with and Feminism and Mana Wahine is discussed and distinguished.

**WOMEN'S ACCESS TO JUSTICE PROJECT/
HE PUTANGA MO NGA WAHINE KI TE TIKA**

The Law Commission/Te Aka Matua o te Ture

The Law Commission began looking at whether New Zealand law treats women fairly in late 1994 after overseas studies found women's access to justice was limited. The Women's Access to Justice project was formed with the aim of finding ways to make legal services and procedures more user-friendly for women. The project is led by Law Commissioner, Joanne Morris, who is also a member of the Waitangi Tribunal.

Seminars and hui have been held around the country for women to learn more about the justice system and to hear women's views, and women have been encouraged to write to the Commission about their experiences. Priority will be placed on examining the impact of laws, legal procedures and the delivery of legal services upon family and domestic relationships, violence against women, and the economic position of women. The Commission will report to the Justice Minister at the end of 1997, recommending reforms to the system's treatment of women.

The project is described in a paper given by Joanne Morris to the New Zealand Law Society Triennial Conference held in Dunedin in April 1996. The paper is entitled **Justice is Not Blind to the Effects of Gender**.¹

The paper provides useful statistics on women's employment situation, income, domestic violence, and sexual crimes against women and girls. These statistics are used as a justification for the Law Commission's focus on women's access to justice

not because we believe that all men are well-served by our legal system. Quite plainly, that is not so. However, we do believe that while our society continues to ascribe women roles which are less valued than those ascribed to men, a project focused on People's Access to Justice would also run the risk of devaluing women's experiences and perceptions (p 5).

Joanne Morris argues that the research carried out by the Law Commission provides evidence that New Zealand's legal system is gender biased. There has been a marked difference in response to the project by those from within and those outside of the legal system. Those working in the legal system often question the focus of the project on women. Yet the women at the receiving end of the law believe that women face special difficulties in accessing justice. The Pacific Island women, for example, were 'unanimous in their view that both Pacific Islands men and women experience ethnicity difficulties in their dealings with the New Zealand legal system' and they were also 'unanimous in the view that Pacific Islands women's life experiences are pervaded by disadvantaging effects attributable to their gender' (p 6).

The paper describes the process followed by the Law Commission, the project's bicultural approach, the role of the Pacific Islands Women's Advisory Group, and the use of the C-themes - to describe constraints noted by women to the access to justice. The C-themes are

¹Copies of the paper are available from the Law Commission or by calling 0800 88 3453.

communication, cost, culture, credibility, conditioning, confidence, control, choice, community, caregiving, and connectedness.

Joanne Morris concludes by stating:

The title to this paper is 'Justice is not blind to the effects of gender' because to be impartial as between women and men, legal outcomes must be produced within an environment which is both aware of and responsive to those effects. In sum, then, blind justice is not gender-blind (p 14).

ROBIN'S NEWS

by **ROBIN INGRAM**

Well, we can't have a column without SOME comment on Helen Clark and the leadership of the Labour Party, and this time it's the Watch Yo'Mouth, Baby! Award for the smartest description of the most recent shenanigans! And the winner by a long shot is - Tom Frewen: "After a week of headlines about the Labour Party's chicken coup in which five spots thought it was time to change leopards..." (his column in the National Business Review is always good for a laugh). Ms Clark said herself that she regarded the recent coup to be "a very annoying distraction", but didn't expect it to do any long term damage. Unfortunately for her, she is still the lowest ranked of the leaders of the four main parties in the preferred prime minster stakes; but recently told an audience that her particular skills of networking, managing a diverse team of people and working in a collaborative manner were ideally suited to MMP governments. The Labour Party recently celebrated their 80th birthday, and Helen Clark told the gathering that the initial reasons for setting up the party were as relevant today. All things considered, I expect a few people turned over in their graves on hearing that pronouncement from the party who began the dismantling of the welfare state in the 1980s!

The National Party, meanwhile, at their 60th annual conference in Wellington in June, tried to convince us that they were the best thing yet for New Zealand women. Marie Hasler, woman vice-president, said she believed that no party in the history of New Zealand had given greater opportunities to women. Jenny Shipley said that women had been major beneficiaries of National's philosophy that promoting individual responsibility was good for families.

Well, I guess that just depends on which particular family you belong to, because a recent study commissioned by the YWCA and the New Zealand Council for Christian Social Services (NZCCSS), *Women on Low Incomes*, found that women on low incomes are caught by "poverty barriers" which make it difficult for them to improve their economic conditions, with many women reporting that food was the major discretionary item of their budget, among the first items to be cut back when income was inadequate. Still, maybe Jenny Shipley is so blinded by the light, as it were, that she just can't see those people. In fact, while there seems to be a sort of covert operation going on by the government to smother any mention of the word "poverty", the NZCCSS is launching a Stop Poverty Campaign on August 18 to remind us that the United Nations Year for the Eradication of Poverty is relevant here as well as overseas. The *Women on Low Incomes* report was a pilot study of six groups of North Island women, looking at key issues for women on low incomes, barriers which exist that stop them getting out of their poverty level, and what further actions and research are needed. Bonnie Robinson, executive officer of the NZCCSS said that this was a piece of research crying out to be done on a major scale. Any takers out there? Bonnie is contactable in Wellington at (04) 473 2627. The report is available from MACSS, P O Box 1937, Wellington, with a payment of \$10.00 to those who can afford it.

Anyway, all the parties will have to mind their Ps and Qs with regard to their women voters, as a recent UMR-Insight poll found a distinct gender gap in political attitudes. 16 percent of women thought the election should be about economic management, compared to 31 percent of men. 58 percent of women wanted the election to be about

social justice compared to 42 percent of men. National has 7 percent more approval among men than among women and Jim Bolger's personal approval rating is 10 percent higher among men than among women, while Labour has 10 percent more approval among women than among men and Helen Clark's personal approval rating is 11 percent higher among women than among men. Winston Peters comes in at gender neutral, drawing support equally from women and men. Men are three times more likely than women to support ACT; and while the Alliance is considered to be gender neutral, Jim Anderton has 8 percent more support among women than among men. However, according to Stephen Mills of UMR Insight, the really dramatic gap is that between the perceptions of rich and poor in New Zealand. (Funny, but there's that poverty concept again!) (New Zealand Listener, June 15, 1996, 'Voters from Mars and Venus').

Talking about poverty, a recent United Nations Development Programme report made some interesting observations. On overall human development, NZ couldn't even make it into the top ten. Of the top twenty countries on the list concerning the status of females in society, Australia comes in at 9th and NZ at 10th. Meanwhile, the 358 billionaires in the world have more assets than the combined incomes of countries housing 45 percent of the world's people.

Labour women have a campaign - Half by 2001 - which aims to increase steadily the number of women Labour puts into Parliament, so that by the year 2001 women will make up half of Labour MPs. Half by 2001 is a comprehensive programme with training and support elements to ensure quality candidates, and includes a fund for use by Labour women candidates in election campaigns. And the National Party might not be raking in huge numbers of women, but amongst the Young Nationals, women dominate. 60 percent of membership is female, and the top positions in the hierarchy all belong to women: chairwoman Melanie Davis, deputy chair Paula Tesoriero, and secretary Belinda McCammon.

A new face on the block is Animals First Party founder and secretary Rosemary Cumming of Auckland. As yet the party has not reached the necessary 500 members required to satisfy the Electoral Commission, but is confident of doing so in the near future. Ms Cumming said that the party wants to be a political voice for animals.

A well-known face on the block, and we hope that it's red with embarrassment, is Michelle Boag, chairwoman of the Nat's communications committee, she of the Winebox inquiry fame. Can't help wondering if she's just being a hitgirl for the big boys, and if so, does that make her steadfast or stupid? Time will tell. I guess.

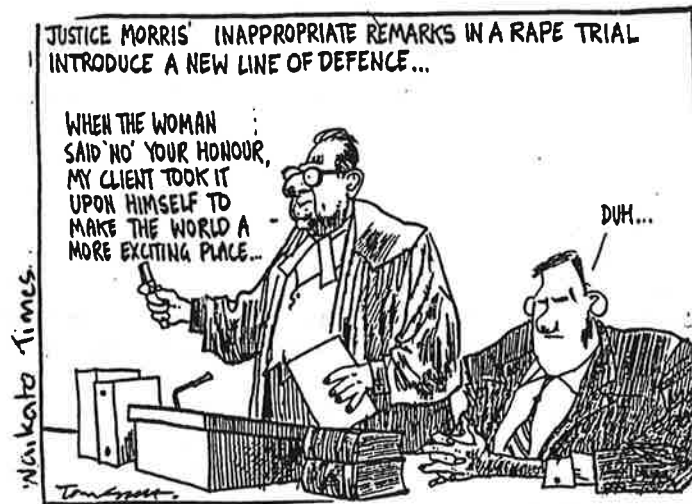
Another party newly launched - and with sufficient membership to register with the Electoral Commission - is Lindsay Perigo's group of Ayn Rand disciples, Libertarianz. Deputy leader is Deborah Coddington, Auckland journalist and erstwhile publisher of a list of 500 convicted sex offenders. Rumour has it that Libertarianz already has a transitional plan in place (should they ever be elected) to dismantle the state. Actually, I think Ms Coddington has got an ideological conundrum on her hands: the party having already said publicly that if no one wanted to care for an abandoned child it would have to die (yes, you can find it in the Dominion of 6 July), wouldn't it follow that in the ideal free state you could have sex with anyone, and if they happened to be five years old, well, hey, that's freedom of choice, right? I mean, if the libertarian state isn't going to interfere with a child's right to starve to death, why interfere with their right to a sexual experience?

Someone else who wants to get government out of people's lives is ACT founder Roger Douglas. He recently said that a lot of the blame for crime in Nzild could be blamed on dysfunctional families, especially one-parent families headed by young mothers, where there was more chance of involvement with alcohol abuse, drugs, crime and violence. He said that the country has to stop encouraging people from "that sort of background" to produce children, and this could be achieved by scrapping the DPB for young unmarried mothers, hence making the young women either have an abortion, adopt the child out or get help from their own families. Isn't it fascinating to see that, election after election, young women on the DPB always reappear as the sacrificial lamb.... Could it be anything to do with the fact that they may be the least vocal, least politically organised group? Or am I just being cynical!

Another man who's been caught out sounding off is United Party Auckland Central candidate Mr Wayne Young, who was recently quoted in the New Zealand Herald as saying that hiring "bigger policemen" would mean that women could be taken off front-line duties! - because you know how it is, right? - the poor dears need protecting by some REAL MEN! Well, talking about real men, Superintendent Alex Waugh recently completed a research paper on the experience of policewomen in New Zealand. He surveyed all policewomen who left the police force between 1987 and 1992. About 20 percent said that sexual harassment by male colleagues was a reason for their

leaving. He found that most policewomen were unwilling to complain since they doubted that the system would help them with their complaint or punish the offender. The NZ police force is just beginning to train its first sexual harassment mediators (Sunday Star Times, 21.7.96).

But of course, this month's all time winner has to be Justice Morris' now-famous statement "if every man throughout history had stopped the first time a woman said 'no', the world would be a much less exciting place to live in". Actually, since we're focusing on the law in this issue, let's take a quick look at some of his equally famous predecessors. In NZ we have Judge Watts, who said "the only reason I will not send you to jail this time is the woman assaulted was your de facto wife and by that very fact she is no good and won't be too upset you assaulted her". In Australia, we have Justice Spender who told the world "it is not unusual for women to sleep their way to the top", a statement supported by Mr Murray Tobias, QC, who said that the Justice was being persecuted for stating the obvious! The Aussies also get Judge Derek Bollen, who said during a rape-in-marriage trial that it was ok for a husband to use "rougher than usual handling" to persuade a wife to have sex. And then there was the judge in Victoria who gave a rapist a more lenient sentence because the victim was unconscious during the rape and he therefore considered that she would not have been traumatised as much! And back in NZ we have Mr Justice Holland who said that the rape of an agency escort who "sold her body" was a very different case from a woman who did not want to have sex at all.



The Christian Coalition is nudging three percent in the opinion polls, and is confident of reaching the five percent threshold. The Coalition has at least one prominent woman, former stalwart Nat (indeed, so stalwart that she tried to get a place on the National Party list for this year's election) Gael Donoghue, who is the Christian Coalition candidate for the Whanganui electorate, where she was the runner-up in 1993. She resigned from National about two months ago, claiming that liberal views had replaced the party's sound moral, traditional and family values, but one can't escape a sneaking suspicion that it was just a case of sour grapes. Actually, Matakana MP Graeme Lee, a co-leader of the Coalition, identified women as the Coalition's main group of supporters: "our dominant response is from women. It's an open secret that we're targeting women. We're the only party that is pro-family, pro-values and pro-life and is based on principles" (Wanganui Chronicle, 10.7.96). Well, you'll all be pleased to know, I'm sure, that Christian Coalition plan to follow the example of a fellow Third World country and legislate for AN ANNUAL DAY OFF FOR HOUSEWIVES! which, their campaign director assured us, is a policy which would be greeted with "orgasmic or hysterical acclaim". Fellow New Zealanders, if this party really believes that the ultimate sexual stimulation comes from being guaranteed a day off the housework (actually, when was the last time you had the time to spend the whole day doing housework!) we're all going to die of boredom if they ever become the government. Alas for the unforeseen consequences of MMP! Bring back Oliver Cromwell!

Personally, instead of that stupidity, I'd be far more interested to see NZ copy a piece of legislation that is being proposed for New York. This bill will ban "gender-pricing" - that enormously irritating habit of charging women far more for exactly the same hair cut than a man is charged. In New York they did a little survey and found that not only did about half of hair salons charge women more than men for the same basic hair cut, but that dry cleaners charged women more than men, and there was a two in five chance that women would be charged more than men by used car dealers. I wish someone would do a survey like that in New Zealand.

Interestingly, though, on the subject of women's work, we recently had a visit from Australian consultant Dr Clare Burton. She said that the long hours now commonly worked by the labour force in Australia were a particular problem for women: that is, increased hours worked by men reinforced women's traditional role in the home. "Women appear to have two broad choices: do as the men are doing, or work around men's patterns, working part-time and taking the daily responsibility for childcare...(Hence) the urgency of altering work patterns if we are to make any inroads at all into the intimately related areas of women's equality in employment and men's greater participation in the bringing up of their children". (Dominion, 24.7.96).

A hui is being organised by the Maori Congress for August 2, at Hopuhopu near Ngaruawahia, to discuss constitutional change, parliamentary reform, Maori participation in the general election and the future role of the Congress.

Delegates at the recent Federated Farmers' national conference held in July missed their chance to elect what would have been their first woman member of the national executive. Penny Webster, a dairy farmer from the north of Auckland and the only woman branch chairman, was voted out of the running in a second ballot to fill two national posts of vice-president. She said that gender imbalance was an issue the federation had to address in general, and that she did not think she'd been rejected in the voting because of her gender.

Meanwhile the Auckland Regional Council gets its first ever woman heard. Mrs Jo Brosnagan, General Manager of the Northland Regional Council, has accepted the position of General Manager of the ARC.

The National Council of Women are holding their Centennial National Conference in September. Seven remits will be voted on, including the decriminalisation of prostitution related offences, a proposal for a basic income for all New Zealanders, the need for a national population policy, standards in post-natal services, and continuity in the care of the elderly.

The Family Planning Association celebrates its 60th anniversary in September this year. Begun when a group of women founded the Sex Hygiene and Birth Regulation Society in 1936 to provide information about birth control, it is now a professional organisation with more than 30 centres around the country. To mark the anniversary, FPA will award a media prize for excellence in journalism in the field of sexual and reproductive health.

And the new Domestic Violence Act came into force on July the 1st. Major changes are that anyone can now apply for a protection order, even if they are not a victim of the violence, domestic violence is now defined as physical, sexual, and psychological, and can include both financial abuse and damaging property, and the Act acknowledges violence in a whole variety of domestic relationships, including homosexual relationships, extended family relationships, even close friend relationships.

Ruby Hynds, a respected member of the National Party, died recently in Tauranga. She had spent more than 50 years as a member of the executive of the Tauranga branch of the Nats, was a foundation member of the women's section, now defunct, of the National Party, and served as a vice president and president for many years. She had been involved with the Reform and United parties in the 1930s. It would be great to know that someone had collected her memoirs, but perhaps that's a bit optimistic?

Wellington local body politician Helene Ritchie, ex Labour and independent councillor, turned up at the New Zealand First convention in Auckland in July. As it turned out, she was barred from joining the party! Leader Winston Peters said "We are not going to have people come along and say they wish to become a member and be a candidate on the condition of being number 10 on the list or better", while Ms Ritchie said her treatment by the party raised real concerns about its process for selecting candidates and that the selection process could be too easily influenced by party leader Mr Peters (Evening Post, 23.7.96).

Ex-Labour candidate Reverend Ann Batten has been selected as New Zealand First's candidate for the North Shore seat in Auckland. Rev Batten is a vice-president of the National Council of Women, and a founder and co-leader of last year's Women's Peace Flight to Tahiti to protest nuclear testing. And yet another National Party stalwart who has resigned in an apparent fit of pique is former MP Gail McIntosh, who was ranked 75th on the party list of 76. She is now standing as United's candidate in the Coromandel.

I suppose you all know by now that famed radio talkbacker and aspiring Auckland mayor Ms Pam Corkery has joined the Alliance, receiving a pretty highly placed number 6 spot on the list. She says that the things which

particularly concern her are education and health (and that she was finally motivated to actually stand for the Alliance by the case of Northlander Harry Findlay, being hassled by the local hospital to pay for his wife's hospital care). She fails to see any virtue in poverty and hopes that when the revolution comes we'll all be driving BMWs. And is, alas, reduced now to drinking beer because she can no longer afford champagne!

Expatriate New Zealander and Senator elect Miss Jeannie Ferris, faces a High Court challenge to the Upper House seat she won in Australia's federal election earlier this year. A former journalist who has lived in Australia since the late 1960s, her seat is being challenged on constitutional grounds, section 44, which bans senators holding offices of profit under the Crown.

Immediate past president of the Maori Women's Welfare League, Areta Koopu, has been appointed Human Rights Commissioner, replacing Dr Erihapeti Murchie, who did not seek reappointment to the position. Dr Murchie said that there is a "legion of people" in New Zealand who need protection from harassment and discrimination and that many of the HRC's complainants were involved "women in the workplace where men exercised power over them". Dr Murchie is planning among other things to continue working on her collation of the stories of elder women from her iwi. (Wanganui Chronicle, 13.7.96). Meanwhile Druis Barrett from Whangarei has become the new president of the League, with Hine Puru first vice-president and Kitty Bennett second vice-president.

A useful little publication to look out for is *Ministers and Members in the New Zealand Parliament*, edited by G A Wood, University of Otago Press. Covers who, what, where, when, and why etc. Costs \$25.00.

**SUPPORT A NATIONAL WOMEN'S HEALTH POLICY
THE HUMAN RIGHT'S COMMISSION HEALTH COMMITTEE
WOULD LIKE TO HEAR FROM ANY GROUPS OR
INDIVIDUALS WHO SUPPORT A NATIONAL WOMEN'S
HEALTH POLICY. PLEASE CONTACT
SARAH HERRICK, COMMITTEE SECRETARY
PHONE 09 303 3550, FAX 09 377 9988
E-MAIL SHERRICK@HRC.GOV.NZ**

NOTICES

ELECTRONIC DISCUSSION

Kate's Feminism page (<http://www.ocs.mq.edu.au/-korman/feminism.html>) is an outstanding resource for issues such as rape crisis, domestic rape and harassment at the work place. The really good news about this page is that it is a balanced forum of discussion and has pointers to one of the most informative resources for the often ignored issue of rape and sexual abuse of men (<http://www.ocs.mq.edu.au/-korman/feminism/malerape.html>).

APC: Working for environmental sustainability, human rights and social justice - <http://www.apc.org>
Feminist Activist Resources: <http://www.igc.apc.org/women/feminist.html>

PARTIES ON THE WEB - voters can now access politicians - well, some of them, anyway - via the Internet
ACT New Zealand: <http://www.act.org.nz>
McGillcuddy Serious: <http://www.hk.linkage.net:80/~clarke/index.html>
The Progressive Green Party: <http://www.progreen.org.nz>
Green Party of Aotearoa: <http://www.greens.org.nz>

United New Zealand: <http://united.org.nz>
 Libertarianz: <http://freeradical.co.nz>
 The Natural Law Party: <http://www.naturallaw.org.nz>
 Steve Maharey's Home Page: <http://www.netlink.co.nz/~labour/index.htm>
 The Winston Peters is a Nazi Home Page: <http://www.wijnmusic.com/blackh/winston.html>
 The New Zealand Government Web Pages: <http://www.govt.nz>
 Ruth Richardson New Zealand Limited: rrnz.co.nz

For an insight into the politicians of today, visit the Web version of a London magazine which prints articles and interviews by world leaders, see the world statesman (!) Web page: <http://www.kenpubs.co.uk/worldstatesman>

For something totally different!!! - the house of Saint Laurent has joined with a French production firm World Media Live to present an Yves Saint Laurent site to be permanently online:- The address: <http://fashionlive.worldmedia.fr/YSL/> will lead to a variety of information on France's king of fashion.

AUSTRALIAN SITES

Australian Hansard now on-line. Access is now available to the full texts of both Houses of Parliament's last five and a half years of parliamentary debate. An unedited daily version of Hansard is also posted, but this is in draft form and cannot be quoted or considered official unless officially verified. Entire databases can be checked by word, council, member, year or activity: www.vicnet.net.au/vicnet/vicgov/parl/hans.html
<http://pleiades.net.com> - encouraging women to learn and use the Internet.
<http://www.femina.com> - search engine for women's sites on the Web
<http://www.witi.com> - networking for professional women to develop their careers and establish contacts.
<http://www.cpsc.org/doc/plrogram/gender/gender/gender/htmlEDHEAD> - women and computing
<http://www.albury.net.au/kunexion/WEL-Victoria.html> - Women's Electoral Lobby Young Feminists.
<http://www.gu.edu.au.gwls/aiwrap/AIWRAP.home.html> - Australian Institute for Women's Research and Policy
<http://www.bizwomen.com/> - more networking and exchange of information.

Anyone out there who happens to find interesting political/feminist/sites can pass this info on to us via Heather Devere e-mail: hdevere@chaln1.ait.ac.nz.

JOB VACANCY

Lecturer in Women's Studies, Women's Studies Programme

The Women's Studies Programme at Massey University offers 24 courses at undergraduate level, a BA major, Graduate Diploma, MA, MPhil and PhD study. Courses are available in both internal and extramural modes. You should possess a doctoral degree and scholarship, teaching and administrative experience in Women's Studies or a related area. Qualified applicants are sought who are able to teach at all levels of the programme in internal and extramural modes. You will have the opportunity to develop an undergraduate course in your own area of expertise and to contribute to the supervision of postgraduate students. We seek an excellent teacher and an active researcher with a strong publications record, as well as demonstrated ability to network with women's groups in the community and the university. Although applications from persons in any field of Women's Studies and feminist-focused research will be considered, it is likely that preference will be given to candidates whose interests and skills address the needs of the existing programme. Massey University is an equal opportunity employer and Maori or Pacific Island women are especially invited to apply.

It is expected that you will commence duties on or before 6 January 1997. Director, Women's Studies Programme (telephone 0-6-35- 4938, facsimile 0-6-350 5627, email l.c.alice@massey.ac.nz). Information about Women's Studies may be obtained from the programme's Web pages, <http://cc-server9.massey.ac.nz/~wwwms>.

Reference number: ER 49/96L must be quoted. Closing date: 6 September 1996.

The University reserves the right not to make an appointment or to appoint by invitation.

An information package including Conditions of Appointment is obtainable by telephoning 0-6-350-5299.

Applications, including a full curriculum vitae and the names, addresses and fax numbers of three referees must be sent to 'Academic Vacancies', Human Resources Section before the closing date specified.

Private Bag 11-222, Palmerston North, telephone 0-6-356 9099, fax 0-6-35- 5615.

**TE OHU WHAKATUPU - KAIWHAKAHAERE KAUPAPA
MANAGER MAORI POLICY UNIT**

Kei te kimi Te Minitatanga mo nga Wahine i tetahi kaiwhakahaere ki te arataki i tona Wahanga Kaupapa Maori, ara, Te Ohu Whakatupu. Whakarato ai Te Ohu Whakatupu i te kaupapa tohutohu tino tiketike rawa atu te pai me nga ronga whakamohiohio mo te whanuitanga o nga take e pa ana ki nga wahine Maori. Whakawhiwhia ai hoki e ia nga ratonga Minitatanga, a, kei roto ano hoki nga kaupapa mahi motuhake mo nga wahine Maori.

The Ministry of Women's Affairs seeks a Manager to lead its Maori Policy Unit, Te Ohu Whakatupu. Te Ohu Whakatupu provides high quality strategic policy advice and information services on a wide range of issues relevant to Maori women. It also provides Ministerial services, and engages in special projects for Maori women.

The successful applicant will be able to lead in tikanga/kaupapa Maori; lead, guide and motivate staff; have excellent communication and persuasive skills; have good awareness of major political, economic and social issues affecting Maori women, have well developed analytical and problem solving skills, high work standards and good planning and organisational skills (including budget management); have initiative and the ability to collaborate effectively.

This is a Senior Executive Service position and salary and conditions will be negotiated with the Chief Executive.

Whakapa mai ki a Frances Austin, Te Kaiwhakahaere Kaimahi, Te Minitatanga mo nga Wahine, PO Box 10-049, Wellington, waea 0-4-473 4112 mo te whakaahuatanga turanga me te wahi tuku toponga mai. Ko te Mane 26 Here-turi-koka 1996, te ra kati mo nga tono.

For the job description and for forwarding applications, contact Frances Austin, Human Resources Manager, Ministry of Women's Affairs, PO Box 10-049, Wellington, Phone 0 4 473 4112. The closing date for applications is Monday 26 August 1996.

CONFERENCES

The **third Perspectives for Change** conference is set for September in Christchurch. At the time of going to press, the September programme is:

- 23: Women's Alcohol and Drug Conference
- 24-26: Perspectives for Change
- 27: Indigenous Peoples' Alcohol and Drug Conference

A women's forum is being organised to precede ALAC's Perspective for Change conference. This forum will be held at the Christchurch Town Hall on Monday 23 September 1996. The day is likely to start at 9.00 am and finish at 5.00 pm, with time to socialise thereafter. We are planning for an attendance of approximately 125 women. The forum will provide an opportunity for women to hear a variety of perspectives and to participate as a united group. We are not planning to break into small workshop groups, as there will be other times to network during the day and at the Perspectives for Change conference. Themes will include:

- rural women
- lesbian women
- training of the workforce
- alcohol and pregnancy
- young women (linking with the theme of Perspectives for Change)

You will note that the conference is being held in the last week of the school holidays. We are aware that this has implications for child care. We will endeavour to provide for your expressed needs in this regard. Also note that there is no registration fee for this forum. Lunch, morning and afternoon tea will be provided, as will non-alcoholic drinks and food at the social event which will close the day.

- Val Norton, Nancy Fithian and Margaret Manuka-Sullivan, ALAC Women and Alcohol Project.

**FEMINIST FUTURES: NEW DIRECTIONS IN THEORY
AND PRACTICE**

The Australian Women's Studies Association conference moves West for the first time since its inception in 1989. Join us for CONFERENCE '96 - FEMINIST FUTURES: NEW DIRECTIONS IN THEORY AND PRACTICE - 27-29 November, 1996 - the University of Western Australia, Perth, WA.

Call for presentations:

30 minute paper

10 minute panel (please indicate the other two members of the panel)

90 minute workshop

Please submit a 250 word (approx.) abstract by 15 June, 1996.

Accommodation: St Catherine's College, UWA

Registration fees: \$200 (full); \$95 (concession) +

General Enquiries: Annie Goldflam/Lesley Aloni

Centre for Research for Women: ph (09) 380 3718/3719; fax (09) 380 1092

email: <goldflam@cyllene.uwa.edu.au >

Presentation Enquiries: Bev Thiele: ph (09) 360 2269; fax (09) 310 1899

Janice Dudley, Associate Lecturer in Politics, School of Social Sciences, Murdoch University, Murdoch, 6150 Western Australia. Telephone (09) 360 6115; Fax (09) 360 6381; email: dudley@central.murdoch.edu.au

**AUCKLAND COMMITTEE WOMEN'S STUDIES ASSOCIATION (NZ) INC.
PO Box 5067, Auckland**

The Auckland Committee of the Women's Studies Association is organising a one day conference on Sunday, 8 September this year. It will be an opportunity for women to share the latest discussion and documentation on women's lives and feminist issues.

We would like to invite you to contribute a paper or workshop. We envisage the Conference opening with a session on 'Networking: Women Together are not Women Alone'. Apart from this, we would welcome workshops and papers in any area to do with women. The day will be divided into 90 minute sessions, so any contribution could be either 45 minutes or 90 minutes.

In view of the aims of the Association, workshops and papers should have a feminist perspective and, where relevant, acknowledge oppression on the ground of race, sexuality and class as well as gender.

If you are interested in contributing, we would appreciate a title and brief description of your paper/workshop by 8 August for the purposes of programming. It is expected that women giving papers and workshops will register for the Conference.

If you have any enquiries, do contact:

Anne Hunt, ph 09 817 4349

Sylvia Baynes, ph 09 828 3488

**BEYOND DEPENDENCY CONFERENCE: TU MANA MOTUHAKE
A WATERSHED FOR WELFARE**

The unique international overview of successful and innovative solutions to the problem of welfare dependency.

16-19 March 1997, Sheraton Auckland Hotel & Towers, Auckland

Goals of the Conference:

Welfare dependency is a growing, long-term and cyclic problem with high human and economic costs. New directions in thinking and realistic solutions are now emerging in many different countries. No one has all the answers, but many have a contribution to make and so much work is being done it's hard to keep up to date. This is where the Beyond Dependency Conference has a role to play. The Conference will be a forum for sharing ideas and practical solutions, as well as discussing progress made so far.

The Conference will bring together people from many different areas who share a commitment to fighting welfare dependency. They include: public policy advisers and decision makers at the local and national levels; researchers into welfare dependency; practitioners in the welfare field; leaders in mobilising change from the community, media, and business sectors.

As part of its From Welfare to Well-Being initiative, the Beyond Dependency Conference is organised by New Zealand's Department of Social Welfare in association with the Department of Labour. The Conference is endorsed by the OECD.

For more information: Convention Management, PO Box 2009, Auckland, New Zealand
 Telephone: 64 9 360 1980, Facsimile 64 9 376 1980
 email: beyond@conventionmgmt.co.nz
 Visit our Web site at <http://www.beyond-dependency.org.nz>

The Beyond Dependency Programme is developing a rich overview of innovative welfare initiatives from around the world. We are calling for participants to add to this overview in two ways.

The Exchange will bring together academic, institutional, business and community approaches to breaking the welfare dependency cycle. Papers and presentations are invited in two general groupings:

(a) 'Poster' papers

Abstracts will be refereed and approved papers will be published in the Conference proceedings. Some 'Poster' paper authors will be selected to present to Conference participants.

To enter a 'Poster' paper: send your abstract by 31 July 1996 to the Conference organisers, Convention Management; your typed abstract should be brief (200-500 words) and include the reason for the study, your methods, results and your conclusions; include a cover sheet with the title, the author(s) (circle the main contact if there is more than one author), institutional affiliation(s), and contact details (including postal, telephone, fax and e-mail).

(b) Other presentations

If you have a relevant study, community project or pilot scheme to present, you are invited to propose your material for the Ideas Exchange. Your presentation can use posters, text, photographs, videos or other media.

To enter a presentation: send a brief (about 200 words) typed description of your presentation by 31 July 1996 to the conference administrators, Convention Management; outline your subject matter and its significance for the Conference, how you plan to present your material and any particular requirements you have (eg for power, space); include a cover sheet with the title, the author(s) (circle the main contact if there is more than one author), institutional affiliation(s), as well as contact details, including postal, telephone, fax and e-mail).

Send to: Beyond Dependency Conference, c/o Convention Management, PO Box 2009, Auckland, New Zealand. Tel 64 9 360 1980, Fax 64 9 376 1980, email: beyond@conventionmgmt.co.nz

THE POLITICS OF CYBERFEMINISM

Saturday, 21 September 1996

Deakin University, Burwood Campus, 221 Burwood Highway, Burwood.

Speakers include: Josie Arnold, lecturer in Media, Literature and Film at Swinburne University of Technology, Melbourne; Beryl Fletcher (Hamilton, New Zealand), author of *The Silicon Tongue* (1996); Jane Guthrey (Melbourne) co-author of *The Internet for Women* (1996); Susan Hawthorne, publisher at Spinifex Press and lecturer in the Department of Communication and Language Studies at Victoria University of Technology, Melbourne; Heather Kaufmann (Melbourne), who has written *Computers: a resource for teaching literacy in the Adult Migrant Education Program*; Renate Klein, Acting Director of the Australian Women's Research Centre and Senior Lecturer in Women's Studies at Deakin University; Suniti Namjoshi, author of *Building Babet* (1996) and a Research Fellow at the Centre for Women's Studies at Exeter University, England; Rye Senjen (Melbourne) co-author of *The Internet for Women* (1996), research scientist in the Artificial Intelligence section of Telstra; Dale Spender (Brisbane), author of *Nattering on the Net: Women, Power and Cyberspace* (1995) and initiator of WIKED, an international database on Women's Studies; Virginia Westwood (Melbourne), an interactive multimedia developer and partner (with Heather Kaufmann in *Protea Textware*).

For further information: Conference Co-ordinator, tel 052 272 262, fax 052 272 018, email: siewmee@deakin.edu.au

Registration fee: includes morning and afternoon teas with a vegetarian lunch, full day \$30 (concession), \$50 (normal), 1/2 day \$15 (concession), \$25 (normal). Cheque should be made payable to: The Politics of Cyberfeminism, send to Conference Co-ordinator, School of Social Inquiry, Faculty of Arts, Deakin University, Geelong Victoria 3217.

THE 1997 NEW ZEALAND POLITICAL STUDIES ASSOCIATION CONFERENCE

To be held at the University of Waikato between 12 midday Friday June 13 and 12 midday Sunday June 15. Further details will be forthcoming in due course. Any preliminary general inquiries should go to Alan Simpson (a.simpson@waikato.ac.nz), and programme/paper inquiries to Jack Vowles (poli0297@waikato.ac.nz). The conference co-ordinator is Ann Sullivan.

Political Science and Public Policy, University of Waikato, Private Bag 3105, Hamilton, New Zealand (ph. 64 7 856 2889, fax 64 7 856 2158).

<p>WOMEN'S ACCESS TO JUSTICE PROJECT/ HE PUTANGA MO NGA WAHINE KI TE TIKA</p>
--

WOMEN AND JUSTICE

Women are asked to write about their views and experiences with the justice system and send them to a project that's examining women's access to justice. The project is being run by the Law Commission/Te Aka Matua o te Ture. The submissions will be used only for the project - Women's Access to Justice Project/He Putanga mo nga Wahine ki te Tika - and individuals supplying submissions will not be identified in any way.

Send submissions to Women's Access to Justice Project, Freepost 56452, Law Commission/Te Aka Matua o te Ture, PO Box 2590, Wellington.

PAPER AVAILABLE - 'JUSTICE IS NOT BLIND TO THE EFFECTS OF GENDER'

Joanne Morris, Law Commissioner, presented a paper about the Women's Access to Justice Project at the New Zealand Law Society Triennial Conference in Dunedin in April. The paper provides background about the project, outlines the processes adopted in it and describes the barriers to women's access to justice that have been identified by NZ women. It also answers the question why the Commission is focusing on women's access to justice and not people's access to justice - a question sometimes asked by women and men working within the legal system, but rarely by women on the receiving end of it.

If you would like a copy of the paper, call 0800 88 3453.

LAW COMMISSION PROJECT - JURIES

One of the other projects that the Commission is working on at the moment is Criminal Procedure. As part of that project, the Commission has started considering juries. The Commission decided not to go back to the basic question of whether we should have juries as there does not appear to be significant public opposition to them. The issues being considered are: for what crimes should trial by jury be available?; how should juries be selected?; who should serve on juries? (the representation of groups such as women and Maori is central to this issue); what can be done to help the jury do its job as well as possible?; the length of jury deliberations; hung juries; majority verdicts; the secrecy of the jury room; and the cost of jury trials and backlogs. A paper setting out those issues in more detail was released in October last year and is available on request.

The Commission hopes to complete the review of juries and make suggestions by the end of this year. Penny Webb-Smart, the researcher for the juries project, would welcome any submissions either discussing any experience you have had as a juror or setting out your views on the issues (Freepost 56452, Juries Project, Law Commission/Te Aka Matua o te Ture, PO Box 2590, Wellington).

ADVERTISING IN NEWSLETTER

Full page ads \$30.00. Half page ads \$18.00. Please contact Heather Devere.

BACK COPIES OF NEWSLETTER

The following issues of the Aotearoa Women and Politics Network Newsletter are available at a cost of \$5 each from Heather Devere:

- "Electoral Reform and Women" - August/September 1992
- "The New Right and Women" - November/December 1992
- "Reflecting on Suffrage" - May/June 1994
- "Researching Women and Politics" - February 1995
- "Women and International Relations" - July 1995
- "Maori Women and Politics" - December 1995
- "Women and Trade Unions" - April 1996

If anyone has any other issues which they can let us have for photocopying and for our archive, please could they send them to Heather Devere.

FORTHCOMING ISSUES

Some of the themes to be covered in the next issues are 'Body Politics', 'The 1996 Election and Women', and 'Women in the Media'. Anyone who would like to contribute to these themes please contact Heather Devere, Communications Studies Dept, Auckland Institute of Technology, Private Bag 92006, Auckland, fax 64 09 307 9853, tel 64 09 307 999 ext 5367, email: hdevere@chaln1.ait.ac.nz or Jane Scott, Political Studies Department, University of Auckland, PO Box 92019 Auckland, tel 64 09 3737 599 ext 8090, fax 64 09 373 7449, email: j.scott@auckland.ac.nz

CONFERENCE DIARY 1996

Date	Title	Place	Contact	Details
8 September 1996	Women's Studies Assn (NZ) Auckland Regional Conference	University Conference Centre, 22 Symonds Street, Auckland	Auckland Regional Conference, PO Box 5067, Auckland	Offers of papers and workshops welcome. Pre-registration preferred, numbers limited to 200
21 September 1996	The Politics of Cyberfeminism	Deakin University, Burwood Campus, 221 Burwood Highway, Burwood	Conference Co-ordinator, tel (052) 272 262; fax (052) 272 018, email: siewmce@deakin.edu.au	Registration by 6 September 1996
23-27 September 1996	ALAC's Perspective for Change Conference	Christchurch Town Hall	Val Norton, Nancy Fithian and Margaret Manuka Sullivan	ALAC Women and Alcohol Project
2-4 October 1996	Australasian Political Studies Association Conference 1996	University of Western Australia, Perth	Campbell Sharman Political Science Dept, Uni of Western Australia, Nedlands, WA 6907 Fax: 61 9 380 1060 Tel: 61 9 380 2086 email: apsa96@uwa.edu.au	Gender Politics: Sandra Penrose, email: spenrose@uniwa.edu.au Special session: Political Change in NZ David Denemark, email: denemark@uniwa.edu.au
28-29 November	7th Conference on Labour Employment and Work	Victoria University of Wellington	Pat Walsh@vuw.ac.nz or Philip.Morrison@vuw.ac.nz	Papers invited from any university discipline and public or private research into issues of labour, employment and work in NZ

Date	Title	Place	Contact	Details
27-29 November 1996	Feminist Futures: New Directions in Theory and Practice	University of Western Australia, Perth, WA	Annie Goldflam email: goldflam@eyllene.uwa.edu.au Bev Thiele, ph 09 360 2269 fax 09 310 1899	Women's Studies Association conference \$200 full \$95 concession
December 1996	NZ Politics Research Group Conference, Election 1996	Victoria University, Wellington	Politics Department, Victoria University	
February 1997	Women's Studies Conference	Palmerston North	Members of WSA (NE)	Details to be announced in Women's Studies Assn (NZ) Newsletter
16-19 March 1997	Beyond Dependency Conference/ Tu Mana Motuhake	Sheraton Hotel, Auckland	Convention Management, PO Box 2009, Auckland, tel 64 9 360 1980, fax 64 9 376 1980, email: beyond@conventionmgmt.co.nz	