



AUTUMN  
ISSUE

# Auckland Women's Centre QUARTERLY

2018

## IN THIS ISSUE:

01 Please join us to  
discuss #MeToo

02 Family Court Review  
Should Focus on  
Domestic Violence

03 Women and Disability  
Forum

04 New Youth Coordinator  
AND MORE

## Please join us to discuss #MeToo

For as long as we can remember sexual assault and harassment survivors have endured a system where rape is effectively legal (as such a tiny number of perpetrators are convicted), where the system puts them on trial, and where almost everywhere there is disbelief, silence and victim-blaming. The #MeToo movement has thrown the lid off this hideous public secret, revealing that so many have suffered, how widespread rape culture is, and how inadequate our response has been.

Are we now seeing the beginning of the end?

**Auckland Women's Centre will hold a #MeToo Forum on Tuesday 29 May as the global movement to eliminate sexual harassment and assault takes a firm hold in Aotearoa.**

This forum will be a chance to discuss what #MeToo means in Aotearoa. Since the movement escalated in the United States last year, we have seen a number of wonderful women here taking action to empower others to speak up about their own experiences.

One of these is legal researcher **Zoe Lawton** who has set up a #metoo blog in the wake of publicity about sexual harassment and assault in the legal profession. Her blog has had 40,000 views and so far 214 posts have been made about sexual harassment in the legal profession since the blog started. In early April, Ms Lawton provided this information to Justice Minister Andrew Little, the New Zealand Law Society and all of the university law schools.

Another woman taking action is former Navy employee **Hayley Young** who is fighting a legal case to bring a claim against the Navy over her alleged rape while a member of the service. Earlier this month, she won the right to bring a case against the Attorney-General in Aotearoa.

Ms Young has also set up a Facebook page – Hayley Young – Time's Up NZ – and has a twitter account @HayleyYoungTimesUpNZ.

She is seeking to reduce violence, with the aim of creating a community in which people recognise warning signs



Above top left to right: Broadcaster Alison Mau Mengzhu Fu, forum speaker and Zoe Lawton, legal researcher.

and empower one another to take action. Ms Young wants people to take on specific projects to combat abuse and harassment in workplaces, sports clubs, homes and social venues.

Well-known broadcaster **Alison Mau** and media organisation Stuff have also started a #metoonz project. This aims to provide a planned, organised outlet for survivors of workplace sexual harassment to come forward with their stories, access support and help to end predatory behaviour in kiwi workplaces.

A dedicated team of senior journalists is examining cases from all industries. The project has a triage system, which helps survivors lay a police complaint if that is what they want to do. Survivors can also access specialist counselling. The journalists are examining and investigating the stories and assembling evidence.

*Continued on page 3*

# Family Court Review Should Focus on Domestic Violence

Justice Minister Andrew Little has announced a review of the Family Court. The Auckland Coalition for the Safety of Women and Children, consisting of eleven preventing violence agencies, believes that the review needs to be broadened beyond the scope of the issues identified by the Minister, to focus on shortcomings in how the Family Court deals with domestic violence.

One of the members of the Auckland Coalition for the Safety of Women and Children, **The Backbone Collective**, is carrying out excellent work focusing on the extent to which the Family Court minimises domestic violence and the repercussions of this for women and children.



## Court of Appeal Decision Ignored

The Court of Appeal in July 2017 released its decision SN v MN, the most important decision on the Domestic Violence Act since it came into force more than 20 years ago.

The Court of Appeal held that an extremely experienced Family Court Judge had erred in both aspects of his inquiry into whether a Protection Order was required and had misinterpreted the Act in almost every respect. This included finding that a woman had suffered no physical violence, even though one assault by her husband left injuries requiring medical attention and prolonged physiotherapy.

The Family Court Judge had discharged the temporary Protection Order but the appeal court ordered that a permanent order be granted.

Following the judgment, there should have been a review of all of that judge's domestic violence decisions. How many other women and children have been refused legal protection because that judge did not understand the Domestic Violence Act? And are there other judges who are also misapplying the law designed to protect domestic violence victims?

## "Situational Violence"

The Family Court continues to use the concept of "Situational Violence" to disregard and diminish domestic violence. Situational Violence holds that violence occurring at the time of separation is caused by the stress of the relationship breakdown and is not to be taken seriously.

The concept of Situational Violence is not included anywhere in the Domestic Violence Act and should also be scrutinised in the review of the Family Court.

## "Parental Alienation Syndrome"

The third issue requiring attention is the ongoing application of the discredited "Parental Alienation Syndrome." This was developed in the United States in the early 1980s by Dr Richard Gardner, who suggested that mothers and children

in custody cases falsely and maliciously accused fathers of sexual abuse and violence. He claimed that the vast majority of children who reported sexual abuse fabricated what they said, after being "alienated" and coached by their mothers.

As early as 1993, research questioned the existence of Parental Alienation Syndrome. More than 500 studies have now been conducted and not one has been able to replicate the eight characteristics claimed by Gardner. All of his books were self-published and none were peer reviewed.

Despite that, Parental Alienation Syndrome has gained a firm hold in family courts in countries including the United States, Canada and Aotearoa. One American study found that batterers were able to convince authorities that domestic violence victims were unfit or undeserving of sole custody of children in 70 per cent of cases in which custody was challenged.

## Domestic and Sexual Violence Disbelieved And Discounted

Parental Alienation Syndrome continues to be used in our Family Court, leading to domestic and sexual violence being disbelieved and discounted. Mothers seeking to protect their children find themselves accused of being liars and see children removed from their care and placed in the custody of the abuser.

In one recent case, three children made allegations of physical abuse against their father. The children were removed from their mother's care, placed under the guardianship of the court, sent to another location to live and required to change schools. Supervised contact was ordered for both parents.

In another case, a mother was granted an emergency Protection Order but the father later gained custody of the children after the mother breached court orders to protect them.

A third case involved a mother reporting concerns about the father's drug and alcohol use and violence to the child. The child was placed in the care of the father on the basis that the mother would "ramp up" allegations against the father if the child remained with her.

The Family Court fails to keep women and children safe from abusers and often puts them in further danger. Addressing Minister Little's concerns about court delays, court costs, the right to legal representation, etc, are important, but on their own, they will not keep women and children safe. The Minister needs to broaden the review to focus on how the Family Court continually disregards and diminishes violence and abuse against women and children. ■

*Image above: The Backbone Collective - Examining the Response to Domestic Violence*

## Please join us to discuss #MeToo continued

Ms Mau says she believes that, when statistics are collected at government level, harassment will be shown to play a major part in the ongoing gender pay gap.

Inspired by #MeToo women are organising in many professions (engineering, law, media, public service) for workplaces free from sexual harassment and for equal opportunities.

### #MeToo Community Forum

At our community forum we will hear from experts and discuss questions like:

What does #MeToo look like in Aotearoa, particularly for Māori, disabled and migrant women?

How does the movement fit with the Government's work and plans on sexual violence?

We are very grateful to our speakers for donating their time and knowledge to this forum:

- » **Dr Huhana Hickey** – indigeneity, disability, law and human rights expert
- » **Jan Logie** - Parliamentary Undersecretary to the Minister of Justice, with a focus on domestic and sexual violence issues
- » **Alison Mau** - broadcaster and journalist who has launched a #metoo NZ sexual harassment investigation
- » **Mengzhu Fu** - Shakti Youth – empowering young people from diverse Asian, African and Middle Eastern backgrounds in Aotearoa

**Auckland Women's Centre would love your participation on Tue 29 May, 7-9pm, at the Western Springs Community Garden Hall.**

All genders welcome, donation between zero and \$20, please RSVP to [info@womens.org.nz](mailto:info@womens.org.nz) ■

## Women and Disability Forum

**He waka eke noa - We're all in this together.**

**That was the strong message for feminists from the Women and Disability Forum held on Tues 13 March.**



**Dr Huhana Hickey, Disability, Legal and Human Rights Expert**, outlined the need to unite women (whether disabled or non-disabled), Māori, Pacific people, migrants and those who identify as LGBTQI - to tackle discrimination.

"We need to not be afraid of activism," Huhana told the 60-strong audience. "We've got to strengthen the disability movement and society has to pick up its game."

Speaker after speaker outlined the challenges disabled women face:

- » Only 24% of disabled people are employed, compared to 74% of non-disabled people.
- » Disabled women earn, on average \$30,000 less than disabled men.
- » A higher number of Māori (than non-Māori) with disabilities live on less than \$15,000 per year.
- » Women with disabilities are much, much more likely than other women to face abuse, including by 'carers' and family.



**Paula Tesoriero, Disability Rights Commissioner** told the forum that next year, the United Nations will examine New Zealand's compliance with the Convention on the Rights of Persons with Disabilities. She explained that "Disabled New Zealanders have a long way to go to enjoy the rights outlined in the Convention."

Changing attitudes needn't take years and years, Paula said. "I don't have the patience." With digital and social media, she was confident that we could all pull off something extraordinary to turn the stigma around.

The importance of disabled women telling their own stories, and conveying their diversity beyond statistics, was highlighted by **Tanya Black, General Manager of Attitude Media**, a broadcast and digital company. She spoke of how before her accident, she had never seen people in wheelchairs in the workplace.



**Pia Jane, Deaf Disability Rights Campaigner**, gave powerful testimony of lived experience of deaf women's "language deprivation" – being excluded from education and family communication – and not having the language to report abuse. She said these negative experiences had put

"fire in her belly" to change things.

This was a moving and informative forum that urged us all to work together to end discrimination, barriers and abuse so that the capability and humanity of people with disabilities can shine. ■



## New Youth Coordinator



**We have appointed BA/LLB student, Gabriella Brayne, as our first ever Youth Coordinator.** She will be working part-time on our new two-year pilot project to support and nurture high school feminism. We are very excited to have Gabriella

on board for this project as we recognise the crucial role young women play in feminism.

Gabriella set up a feminist group at St Dominic's College in Henderson in 2016. The group was successful in facilitating several student-led workshops; hosting a school-wide festival for International Women's Day and running a sanitary item drive in collaboration with Women's Refuge. Gabriella is also one of the founders of Auckland Young

Feminists who organised and held the Hui for High School Feminists in December 2017.

Since starting in her role as Youth Co-ordinator, Gabriella has been contacting high schools and creating resources for young feminists. We've organised meetings/presentations with six high schools in Tāmaki Makaurau (and been in touch with several more), which are all set to happen in the first few weeks of Term 2.

Next month, Gabriella will also be running a workshop presentation at Wāhine Kākano – The New Zealand Young Women's Festival, which is being hosted by Villainesse and the Human Rights Commission, supported by AUT, the National Council of Women and the Māori Women's Welfare League. The day-long event is targeted at supporting feminist mahi amongst high school students.

Last week, we also launched a Facebook page under the name Auckland Women's Centre – Youth to further engage young people in Auckland with our project. Please give us a like to show your support and keep up to date with what's happening in the world of high school feminism. ■

## Abortion – a Woman's Human Right

**Congratulations to our new Government for asking the Law Commission for advice on what alternative approaches can be taken to align abortions with a health-based approach.** Thousands of feminists have campaigned for decades for a health-based approach and it is wonderful that this vision will finally be realised.

Currently abortion is still considered a criminal offence yet the majority of New Zealanders support decriminalisation. The three biggest barriers to abortion care in New Zealand are: lack of accessibility, poor integration of medical abortions, and delay in accessing care. These barriers do not recognise women's autonomy over their bodies, requiring women seeking abortion services to leap a series of hurdles to access a termination.

When the new legislation on abortion is voted on by our MPs they will have a conscience vote. But this law should not be enacted to reflect the individual conscience – or religious or moral beliefs – of an individual lawmaker.

Denying, or limiting in any way, a woman's access to an abortion is a form of gender discrimination. Laws that restrict abortion have the effect of preventing a woman from exercising her human rights or fundamental freedoms on a basis of equality with men.

We have made a submission on this crucial gender equality issue. Please contribute your own stories and ideas here: [alr@lawcom.govt.nz](mailto:alr@lawcom.govt.nz) ■



Auckland Women's Centre



Contact & Services

### Contact us

09 376 3227 x 0  
[info@womensz.org.nz](mailto:info@womensz.org.nz)  
[www.awc.org.nz](http://www.awc.org.nz)

### Centre Hours

Monday to Friday  
9:00 am - 4:00 pm

### Library Hours

Monday to Friday  
9:00 am - 4:00 pm

### Services

- + Women's Support: free support, info, advice and referral
- + Community Education
- + Community Events
- + Counselling
- + LGBTQ support
- + Low Cost Massage
- + Self Defence Classes
- + Opportunities to talk and support feminism
- + Diversity Forums
- + Support Groups
- + Support for High School Feminism