



30 April 2010

Human Rights in New Zealand Today
Human Rights Commission
PO Box 6751, Wellesley Street
AUCKLAND 1141

By Email: infoline@hrc.co.nz

SUBMISSIONS ON THE HUMAN RIGHTS COMMISSION DISCUSSION: *HUMAN RIGHTS AND WOMEN*

The Auckland Women Lawyers' Association ("AWLA") is grateful for the opportunity to submit its views in relation to human rights and women in New Zealand. Please find **enclosed** a copy of the AWLA's submissions.

The organisation supports the work of the Commission in this area.

The President of the AWLA and its Executive would welcome the opportunity to meet with the Commission to discuss ways in which our two organizations might work together to support the advancement of women in this country.

Yours faithfully

Auckland Women Lawyers' Association

A handwritten signature in black ink that reads 'Sarah Pidgeon'. The signature is written in a cursive, flowing style with a large, prominent 'S' at the beginning.

S K Pidgeon

AWLA Executive Member

SUBMISSIONS OF THE AUCKLAND WOMEN LAWYERS' ASSOCIATION

ON THE HUMAN RIGHTS' COMMISSION DRAFT FOR DISCUSSION:

Human Rights and Women

1 INTRODUCTION

1.1 The Auckland Women Lawyers' Association ("AWLA") strongly supports the view that "discrimination against women¹ violates the principles of equality of rights and respect for human dignity."² Therefore, the AWLA supports the work of the Human Rights Commission ("HRC") in combating gender discrimination against women in this country and welcomes the opportunity to submit the views of its members on the issues contained in HRC's discussion document (the "discussion document").

1.2 These submissions will:

- (a) briefly introduce the AWLA to HRC;
- (b) respond to the issues raised in the discussion document;
- (c) comment on the proposals for change contained in the discussion document; and
- (d) provide additional proposals for promoting and strengthening women's rights in New Zealand.

2 ABOUT OUR ORGANISATION

2.1 AWLA's membership comprises of a large number of female barristers and solicitors who work in the Auckland region. Many of our members deal directly or indirectly with the human rights of women (where they are protected by law) in a professional capacity, as Crown Prosecutors, family, employment, human rights and immigration lawyers. Therefore, our membership has a professional interest in the area of human rights and women.

2.2 The objects of AWLA's constitution that are relevant to this discussion and inform AWLA's response to the discussion document are:

- (a) to make suggestions and work for the reform of the law and the administration of the law particularly as it affects women and children; and

¹ While the use of the term "women" is used throughout these submissions, the AWLA intends this term to include girls also.

² Preamble to the Convention on the Elimination of Discrimination Against Women ("CEDAW") 1981.

(b) to work for the advancement of women.

3 WOMEN IN POVERTY

Upcoming Budget

- 3.1 Recent reports suggest that the upcoming budget will see a decrease in the welfare support regime in New Zealand.³ Specific details are not available at the time of preparing this submission, and for that reason, the comments below are necessarily speculative in nature.
- 3.2 AWLA is concerned that if there is a decrease in welfare support to women, particularly those who have the sole responsibility for the care and welfare of dependents, this will result in greater hardship to a group that already struggles to meet the financial costs of their and their family's daily needs. Even where their bare needs may be met, there is little room for improvement in their standards of living under the current welfare system to allow advancement across the board. A natural consequence of a reduction in funding for women with dependents is greater dependence on Crown funding, the inability to obtain financial independence and ongoing reliance on the welfare state model.
- 3.3 Most stay-at-home parents are women. Women are also more likely to be solo parents. They will have specific needs separate to others who rely on the welfare regime. In some cases, women may have great family support to assist them with child care responsibilities. For the most part however, such support will not be sufficient to overcome any hurdles created by a reduction in the level of benefits provided to these women. The specific needs of solo mothers should therefore be identified and addressed to ensure basic human rights are protected. A failure to protect a solo mother's basic human rights will necessarily have a flow on effect in that this will have a detrimental impact on the rights of her children.
- 3.4 Human rights principles dictate that there must be equal opportunities for women. It is trite that women historically have suffered greater discrimination than our male counterparts, largely due to their traditional roles as stay at home mothers and public perceptions about the role of women in society. Achieving equal opportunity entails not only buffering the effects of poverty through adequate welfare where required, but also reducing disparities in the underlying causes of that poverty including limited access to good employment and education, along with poor historical living standards.

³ See for example http://www.nzherald.co.nz/budget-2010/news/article.cfm?c_id=1502904&objectid=10640103; <http://transtasman.co.nz/home/free-articles/nz-welfare-policy-welfare-changes-play-well-in-nationals-heartlands.html>; <http://www.businessweek.com/news/2010-04-21/english-says-n-z-budget-will-allow-priority-spending-update1-.html> as at 27 April 2010.

- 3.5 It is difficult for anyone to generate sufficient household income whilst at the same time caring for dependents and having time out of the workforce. The costs associated with getting mothers into the workforce are such that there is only limited opportunity or incentive for them to do so. Costs including transport, childcare and clothing could reduce rather than increase the household income, and act as a deterrent to discourage a return to the workforce.
- 3.6 Crown policy and legislation needs to address poverty of women, not only by providing support to meet every day needs, but also by helping to alter the conditions that create, exacerbate, and perpetuate that poverty. Accordingly, two budgetary issues arise which, in addition to the current work undertaken by the Crown, could be assisted by further consideration and intervention:
- (a) Any move to reduce welfare payments to mothers with dependent children needs to be carefully weighed against the risks of ongoing impoverishment, and the inability of women both practically and emotionally to recover from poverty once they are able to return to work. If any reduction is made, other support needs to be provided in the form of care providers, support networks, counselling, additional health care and training.
 - (b) Child care facilities that are accessible to lower income earners and which are available promptly when required, could assist in encouraging the early return to work, and reduce the dependence of solo mothers on welfare arrangements. The long waiting lists for good child care facilities, coupled with the cost of those facilities are a great impediment to women returning to work, particularly after their second or third child.

What else needs to be done?

- 3.7 Women with dependents require appropriate tools to change the balance of power that keeps them trapped in poverty. This requires sufficient support (both financial and in training at appropriate hours) to encourage their return to the workforce.
- 3.8 Where women in poverty do not possess the skills or knowledge to adequately provide for themselves or to return to the workforce after child care, policies need to be put in place to address this so as to enhance their capacity to be self supporting without the need for ongoing welfare support.
- 3.9 It is essential to empower women in these circumstances to identify, comment on and to provide assistance to improve the circumstances they find themselves in. Monitoring, advocacy and taking action to address the potential human rights implications of policies in all sectors affecting women would be beneficial.

- 3.10 AWLA considers that one option would be to increase the scope of the Ministry of Women's Affairs. The Ministry works with other agencies to assist with in-depth analysis on the impacts of policies on women, but only in identified areas. The Ministry is Government's lead advisor on issues specific to New Zealand women, and yet its mandate is limited in scope. The Ministry's focus is primarily on policy. It does not provide services directly to the public, and is not an advocacy organisation.
- 3.11 Government action or inaction or failure to respond adequately to the conditions that create, exacerbate, and perpetuate women in poverty is closely aligned with breaches of human rights. To avoid breaches of human rights, the Crown would be well placed to consider changes to its current policy, as set out above which fosters empowerment and participation of women in poverty in informed discussions and decisions.

4 FLEXIBLE WORKING ARRANGEMENTS & BREASTFEEDING

- 4.1 Women continue to face disadvantages in the labour market. This may be attributable to those in poverty or with limited knowledge of their workforce rarely having power within an employment relationship to make any positive change or to defend themselves in unjust circumstances.
- 4.2 Nor do such women have realistic recourse to legal services when those in power, such as employers, are unwilling to change their preconceived views about flexibility within their businesses. Recent employment law changes provide a mechanism to allow women to seek flexibility in their working lives, and amongst other things, to allow them to manage their dependents and careers.
- 4.3 Unfortunately the introduction of the flexible working arrangements and breastfeeding legislation has seen only minor changes in the way employer's view female staff with dependents. Employers have a tendency to avoid flexible working arrangements, due to preconceived notions that female employees will simply shirk responsibilities, that their businesses will not cope, or that they are in an industry that means that flexible arrangements in the workplace are impossible to implement.
- 4.4 On many occasions we have heard employers say that they cannot employ part time staff or staff outside normal working hours as their clients expect them to be available at certain times. This position ignores the realities of the modern world.
- 4.5 Nowadays, work is not just completed in the office, nor does it have to be. Many homes have internet access, and staff can have access to work emails remotely. Documents can be scanned

and sent by email and calls can be made from out of the office. A large amount of communication is via mobile phones. Most if not all communication can be achieved by phone, internet and email.

- 4.6 While the new laws on their face are a step in the right direction, they lack teeth. The statutory provisions are not mandatory, nor are they widely understood or acknowledged. For these reasons, greater awareness of flexible working hours and practices, and how they can work in a particular work environment are crucial to obtaining employer buy in. A campaign that emphasises the advantages of employing employees on a part time or flexible basis could assist in generating awareness.

5 REPRESENTATION AND PARTICIPATION

- 5.1 AWLA agrees with the discussion document in that the number of women in leadership positions in large companies, particularly in the private sector, is disappointing.
- 5.2 The discussion document acknowledges that a greater number of women are entering the workforce than ever before and more female domestic students are enrolled in tertiary education than men. Yet somehow these statistics do not follow through to leadership positions in our top companies.
- 5.3 While the number of women on the boards of Crown Companies is 34.07% and the number of women on the boards of state sector statutory boards is 42%,⁴ this is still well below the 50% target which was due to be met by 2010. Questions need to be raised about what is being done to meet this target.
- 5.4 In the private sector, the number of women in leadership positions is even more disappointing. As highlighted in the discussion document, the number of women on boards of companies listed on the New Zealand Stock Exchanges is 8.65%. Further, only three women are chief executives of the 186 companies listed on the New Zealand Exchange.
- 5.5 This general trend is reflected in the gender imbalance in the top ranks of law firms with the number of women partners amounting to only 17% of the total number of partners, according to a survey conducted earlier this year.⁵ The gender imbalance in the judiciary is also marked. As at 28 September 2009, slightly fewer than 26 per cent of New Zealand judges were women.⁶

⁴ As at October 2007, see Discussion Document.

⁵ LawFuel Survey cited in "Few Women Lawyers Making Partner in Kiwi Firms", Thursday February 4 2010 at <<http://www.scoop.co.nz/stories/BU1002/S00100.htm>> as at 30 April 2010.

⁶ Jane Glover "Women on the Bench", in NZ Lawyer Online, *NZLawyer*, issue 134, 16 April 2010 at <<http://www.newzealandlawyer.co.nz/CurrentIssue/Issue134/134F2/tabid/2235/Default.aspx>> as at 30 April 2010.

- 5.6 These statistics are obviously disappointing given the increasing number of educated women in the workforce. Further, overseas studies also support the initiative for more female board members as they have shown that women directors can help companies gain competitive advantage and increase profits, and that companies that have women on their boards outperform those that do not.⁷
- 5.7 AWLA supports the initiatives taken by groups such as the Ministry of Women's Affairs, Business New Zealand and the Institute of Directors in New Zealand together with the creation of such organisations such as Global Women. However it notes that while there are organisations serving the needs of women who have already reached the upper levels of the corporate ladder, such as Global Women, there is work to be done to foster and develop younger women so that they reach the boardroom table also.
- 5.8 As an organisation made up of professional women and working for the advancement of women, AWLA has held seminars on the very topic of "Women on Boards". These seminars were received with much interest and support by the attendees (mostly women lawyers). However, of interest was the fact that a number of attendees were unaware of resources available to assist women with nomination to Boards of Companies, such as the Ministry of Women's Affairs' nomination service.
- 5.9 AWLA considers that more should be done to promote the Ministry of Women's Affairs' nomination service (both to potential candidates and organisations seeking candidates) and that steps should be taken to set up a mentoring service.
- 5.10 Our organisation wishes to acknowledge the state sector for leading the way in terms of the measures that have been implemented to ensure that an increasing number of highly qualified professional females are being elected to its boards.
- 5.11 However the private sector has some way to go. The AWLA considers that more steps need to be taken to educate companies in both the private and public sector of the benefits of having females in leadership positions, the differing skill sets and views they can contribute to an organisation and the evidence which has shown that female representation in the boardroom can increase the success of an organisation.

⁷ Ministry of Women's Affairs, *Women on Boards*, New Zealand, May 2009 citing Catalyst, *The Bottom Line: Corporate performance and women's representation on boards*, Catalyst, New York, 2007; McKinsey & Company, *Women Matter: Gender diversity, a corporate performance drive*, McKinsey & Company, France 2007.

6 WOMEN IN POLITICS

- 6.1 A female former New Zealand Member of Parliament once commented that “men have been making the law in this country.” In other words it has traditionally been men who have been the members of our legislative body, Parliament. When one stands back and considers the import of this statement - the effect is profound. It is indeed extraordinary that men have originally had the exclusive but now majority vote on legislation due to their disproportionate representation in Parliament. That is to say even legislation that has been solely aimed at the rights of women has been enacted in this legislative environment.
- 6.2 If women are to have the equal protection of the law that they are entitled to as an inalienable right then it stands to reason that women should have equal participation in the making of that law. Sadly, this does not reflect reality. The proportion of women in Parliament is currently 28.6%, with the proportion of women in Cabinet standing at 30%.
- 6.3 As has been referred to at paragraph 5.5 above, companies that have women on their boards outperform those that do not. Applying the same reasoning to the participation of women in Parliament, our political system and the quality of our legislation can only be enhanced through the increased participation of women. Therefore, active steps need to be taken to improve the percentage of women in Parliament.⁸

7 SEXUAL VIOLENCE

- 7.1 The statistics are staggering – about 1 in 3 women are either physically and/or sexually abused by a partner in their lifetime in this country. To put that into perspective – of our current population of 4,365,960, almost 750,000 women will suffer physical and/or sexual violence during their lifetime in New Zealand. The AWLA considers this situation to be unpalatable and therefore supports the HRC’s work in eliminating all forms of violence against women – sexual or otherwise.
- 7.2 AWLA supports and recently made submissions in relation to the Ministry of Justice’s proposed changes to the Victims Rights Act 2002, which seek to provide more support to victims of sexual (and family) violence. However it wishes to express its concern at the recent changes to the Accident Compensation Corporation’s funding of counselling for survivors of sexual violence. These changes have seen significant limits placed on eligibility to those who can have access to subsidised counselling. Given that women make up 82% of claimants for subsidised counselling

⁸ The same can be said in terms of the appointment of women to the judiciary who both apply the law and make case law.

(with Maori women disproportionately represented in this figure) the AWLA consider that the changes are gender biased and are without adequate justification.⁹

7.3 The AWLA further considers that the changes to ACC funding undermine the severity of the impact that sexual violence is likely to have on a victim. While mental injury sustained by a victim of sexual violence may not be visible to the eye, it is no less of an injury (in terms of the level of harm sustained) and will have no less of an impact on a victim than a physical injury – quite the opposite. As has been identified in the discussion document (p15) there are significant and longstanding physical and mental health consequences for victims of sexual violence.¹⁰ This is no doubt the reason why such a high number of female prisoners, mental health consumers and women with substance abuse problems report a history of sexual violation.¹¹

7.4 The AWLA further notes that the level of non-reporting of instances of sexual violence (with only 10% of cases being reported) is of significant concern and needs to be addressed. The AWLA considers that the reasons for non-reporting are myriad but can include:

- (a) Fear of not being believed by the Police or even their own friends and family given that:
 - (i) The victim may have been “date-raped” or sexually assaulted in circumstances where there are no witnesses;
 - (ii) A victim, especially an older woman, may have had an unpleasant experience in dealing with the Police (back in less enlightened times) where she may have considered that she was not believed or was not treated with proper consideration;
 - (iii) The victim may have been under the influence of drugs or alcohol at the time of the offence;
 - (iv) The victim may have a criminal or mental health history that is known to the Police;
 - (v) The offender may be a person of prominence in the community.
- (b) The victim may have previously given evidence at trial in relation to other offending (sexual or otherwise), which may have been an unpleasant and traumatic experience and/or not resulted in a conviction;

⁹ See for example, National Council of Women in New Zealand Press Release, 19 October 2009 as at <<http://www.ncw.org.nz/assets/Uploads/NCWNZ-Press-Release-ACC-cuts-to-sexual-abuse-counselling.pdf>> as at 27 April 2010.

¹⁰ Discussion Document, p 15.

¹¹ Report of the Taskforce for Action on Sexual Violence 2009, Ministry of Justice.

- (c) The victim may not wish to be re-traumatised by having to relive the experience on multiple occasions: when making a complaint, during the police investigation, and again in the witness box;
- (d) The victim may be in denial about whether a crime has occurred or too young to fully appreciate that a crime has occurred, particularly in circumstances of sexual abuse. Therefore, the victim may not realise or come to accept that she has been offended against until much later. By that time, a victim may consider it too late or there has been “too much water under the bridge” for her to lay a complaint with the Police;
- (e) The victim may be ashamed about what has happened to her and/or fear judgment as being known as “damaged goods” if news of the sexual offending becomes public;
- (f) The victim may have misguided loyalty to the offender particularly where the offender is known to the victim;
- (g) The victim may be too embarrassed to discuss issues of a sexual nature with the Police;
- (h) The victim may have concerns for her physical safety if she lays a formal complaint with the Police. This is particularly true for rural and immigrant women who are likely to have difficulties accessing information and support in such situations;
- (i) Migrant women may be hampered by language and cultural barriers that preclude them from being able to easily make a complaint in relation to sexual offending. For example in some cultures speaking about anything of a sexual nature at all is “frowned upon”; and
- (j) In cases involving sexual offending, women may not wish to give evidence for fear of being subject to cross-examination of their sexual behaviour and/or history (even though this is often an incorrectly held fear).

7.5 The AWLA suggests that measures that can be taken to reduce the level of non-reporting of sexual offending might include the following:

- (a) The Government should direct the Ministry of Education to add civics education to the curriculum.¹² We propose that this include a module on victims’ rights in order to educate young people. This is important given that young women between the age of 16 to 30 comprise approximately 70 per cent of victims of sexual violence.¹³ If such women are

¹² *Inquiry into victims’ rights*, Report of the Justice and Electoral Committee, December 2007, Presented to the House of Representatives, NZ, p 29.

¹³ Discussion Document, p 15.

educated as to their rights and the support offered to victims they may be more likely to report sexual offending.

- (b) Given that the Police are often the first port of call for victims, educating the Police on victims' rights and needs as well as creating a Victims' Advisory Unit within the Police (as has been proposed by the Ministry of Justice) will have, in time, a flow-on effect, leading to greater confidence among the public, and then to an increased level of reporting of sexual offending.
- (c) Implementing a public awareness campaign once the proposals contained in the consultation document are implemented may also encourage women to report sexual offending, once they are aware of the increased level of support available.

8 FAMILY VIOLENCE AGAINST WOMEN AND GIRLS¹⁴

- 8.1 It is still the case that women tend to be the primary caregivers of their children whether the mother is a single parent or in a relationship. Therefore violence against the mother impacts not only on women themselves but also on the children in their care, even if the children themselves are not physically hit. As one domestic abuse survivor said:

Worse than the physical pain was watching my children look fearfully at my injuries. I am having to watch them struggling with trying to reconcile the image of their Daddy, who they loved...is also the monster who broke into our house and injured me seriously in front of them.¹⁵

- 8.2 The socio-economic cost of failing to prevent and/or address family violence in the home and support the victims is incalculable. When children grow up in an environment of domestic violence, boys learn that it is acceptable to hit women and girls, while girls learn to take it.
- 8.3 Helen Twentyman, Head Solicitor at the Grey Lynn Neighbourhood Law Office ("GLNLO") and domestic violence specialist, reports that migrant women, particularly refugee women are at a disadvantage where family violence is concerned. Such women often encounter significant difficulties with understanding and acting on legislative provisions addressing emotional abuse in particular.
- 8.4 GLNLO also reports that the inability of migrant women to access appropriate safe places of refuge is a major issue that needs to be addressed. This is evident in light of the fact that immigrant women from Asia and the Pacific are currently more likely to be killed by their partners

¹⁴ The AWLA wishes to acknowledge the contribution of the Grey Lynn Neighbourhood Law Office ("GLNLO") and Helen Twentyman, GLNLO's Head Solicitor and Domestic Violence Specialist, to this section on family violence.

¹⁵ "Boy Sees Mother Beaten", New Zealand Herald Online, Sunday April 18, 2010, <<http://www.nzherald.co.nz/news/print.cfm?objectid=10639047>> as at 27 April 2010.

than any other group of women in New Zealand, according to a just published study by the Ministry of Social Development.¹⁶

- 8.5 Ms Twentyman counsels that migrant women fleeing domestic violence situations in New Zealand require ongoing support services e.g. assistance with accessing housing and benefits. When migrant women try access those services themselves they are often unsuccessful due to language barriers, among other things.
- 8.6 Accessing accredited and experienced interpreters is also an issue for lawyers acting for migrant women who are victims of domestic violence. Reassuring clients that their information will remain confidential also meets with many challenges. This is particularly the case given that the interpreter may be from the small migrant community that the complainant is from.
- 8.7 However, migrants are not the only disadvantaged groups, Senator Blanche Lincoln (Arkansas) has highlighted the difficulties for rural women in escaping domestic violence in the United States of America. Her comments below are equally applicable to the situation of rural women in New Zealand:

"In rural areas of America, there is a growing increase in poverty, homelessness and hunger. You cannot separate these factors from domestic violence – a mother with three kids and no financial security is going to stiffen her lip and take the abuse, because not only does she have nowhere else to go, she has three children depending on her survival."¹⁷

- 8.8 In its report entitled "Domestic Violence against Women and Girls" (the "UNICEF Report"), the United Nations' Children's Fund identified, in addition to cultural factors, the following as being factors that serve to perpetuate domestic violence in general:

(a) **Economic:**

- (i) Women's economic dependence on men;
- (ii) Limited access to cash and credit;
- (iii) Discriminatory laws regarding inheritance, property rights, use of communal lands, and maintenance after divorce or widowhood;
- (iv) Limited access to employment in formal and informal sectors;
- (v) Limited access to education and training for women;

¹⁶ As reported in the New Zealand Herald Online, Friday April 16, 2010 as at <<http://www.nzherald.co.nz/news/print.cfm?objectid+10638702>> as at 27 April 2010.

¹⁷ Senator Blanche Lincoln, Arkansas, at <<http://www.marieclaire.com/print-this/world-reports/news/latest/domestic-violence-stop>> at 27 April 2010.

(b) Legal:

- (i) Lesser legal status of women either by written law and/or practice;
- (ii) Laws regarding divorce, child custody, maintenance and inheritance;
- (iii) Legal definitions of rape and domestic abuse;
- (iv) Low levels of legal literacy among women;
- (v) Insensitive treatment of women and girls by the judiciary;

(c) Political:

- (i) Under-representation of women in power, politics, the media and in the legal and medical professions;
- (ii) Domestic violence not taken seriously;
- (iii) Notions of family being private and beyond control of the state;
- (iv) Risk of challenge to status quo/religious laws;
- (v) Limited organisation of women as a political force; and
- (vi) Limited participation of women in organised political system.¹⁸

8.9 From the factors outlined above, it is clear that the human rights guaranteed to women are interrelated. If access to one or more rights is denied (the right to education, the right to employment) – women are more likely to be subjected to domestic violence and less likely to escape from a violent relationship. That being said, domestic violence (as with sexual violence) knows no class, socio-economic or educational boundaries.¹⁹ The recent reporting of the horrific injuries suffered by an Auckland female lawyer at the hands of her former partner attests to this.²⁰

8.10 The AWLA endorses the proposals for change identified in the UNICEF Report as a means of ameliorating the level of domestic violence in this country:

- (a) Empowering women through education, employment opportunities, legal literacy;

¹⁸ United Nations Children's Fund Innocenti Research Centre, Florence, Italy, No. 6 – June 2000, Innocenti Digest, p 7.

¹⁹ United Nations Human Rights Division at <<http://www.un.org/rights/dpi1772e.htm>> as at 27 April 2010.

²⁰ "Boy Sees Mother Beaten", New Zealand Herald Online, Sunday April 18, 2010, <<http://www.nzherald.co.nz/news/print.cfm?objectId=10639047>> as at 27 April 2010.

- (b) Providing women with human rights education and information regarding domestic violence;
- (c) Making integrated support services, legal intervention and redress available in domestic violence situations;
- (d) Assisting women with rebuilding and recovering their lives after violence including counselling, relocation, credit support and employment; and
- (e) Community groups and government institutions should be trained to identify women, men, adolescent boys and girls and children at risk of domestic violence, and to refer them to confidential and accessible services.

8.11 But men have a part to play also. They need to provide good role models for boys in terms of resolving disputes without fists. They need to challenge other men to stop abusing women and to change the attitudes and cultural norms that encourage domestic violence. In the words of United States Representative John Conyers, Jr., Michigan:

It's not enough for women to speak out on the issue – for the message to be strong and consistent, women's voices must be backed by men's.²¹

9 CONCLUSION

- 9.1 Women are not a homogenous group of people. They do not have identical aspirations in terms of education, career, motherhood and participation in public life. However, all New Zealanders have the inalienable right to be free from discrimination and violence. They must be guaranteed the freedom and opportunity to pursue their aspirations whatever they are.
- 9.2 Notwithstanding the above, the discussion document has highlighted many areas where the reality for women in New Zealand is yet to catch up with their inalienable right to equality. The situation is particularly dark for certain groups of women in New Zealand – migrant women, disabled women, Maori women, Pacific Island women and impoverished women. All of these women face multiple hardships and discrimination.
- 9.3 There is no quick fix to bridge the gender gap in order to bring about true equality of freedom and opportunity in New Zealand. But to strive for anything less is unacceptable.

²¹ Representative John Conyers, Jr., Michigan, at <<http://www.marieclaire.com/print-this/world-reports/news/latest/domestic-violence-stop>> at 27 April 2010.

- 9.4 The AWLA wholeheartedly supports the work of the HRC in its efforts to promote and give effect to the human rights of women in New Zealand. It is confident that much will be achieved once the measures imposed in the discussion document are implemented. The President of the AWLA and its Executive would welcome the opportunity to meet with the Human Rights Commission to discuss how we might work together to further the advancement of women in New Zealand.

DATED 30th April 2010.

Auckland Women Lawyers' Association

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A Hansen
AWLA Executive Member

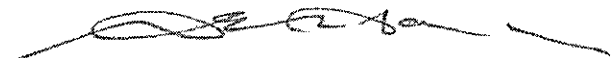
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