



NETWORK OF WOMEN PANEL

LIST OF RESOURCES AND OPTIONS

LEVEL	LOW	MEDIUM	HIGH
Description	<p><i>The person wishes to talk to you about their circumstances and wishes to be given some emotional/moral support. They may also want your advice on how to best handle their circumstances in respect of any informal / formal reporting internally.</i></p> <p><i>You are comfortable assisting this person.</i></p>	<p><i>Includes the "low" level, and the person wants to take, or would like to consider, further steps towards laying an external formal complaint or to take steps with some other third party.</i></p> <p><i>You are comfortable assisting this person, but you feel that this person may need to be put in touch with external third parties.</i></p>	<p><i>You feel like this is significantly outside of your area of expertise and requires specialist support.</i></p> <p><i>For example: the situation imparts an element of criminal offending, situations of rape, depression, suicide or other mental health concerns.</i></p>
Options	<p>Employment advice</p> <ul style="list-style-type: none"> • Our network may be a valuable resource for advice on how to approach HR/management to make a complaint or to report inappropriate behaviour. • There are also some employment lawyers who have indicated to AWLA (and on Zoe Lawton's blog, here) that they are available to assist with this. Please contact AWLA (via now@awla.nz) for more details if this would be of assistance. <p>Women Silks</p> <ul style="list-style-type: none"> • A number of female QCs have offered to provide pro bono consultations and assistance with options, or representation in respect of any enquiry on an anonymous basis. If this would be useful please contact any of 	<p>Human Rights Commission</p> <ul style="list-style-type: none"> • File a complaint with the HRC (under the Human Rights Act 1993). Note: If a complaint is made to the HRC the person has at least 12 months in which to do so. More information on how to make a complaint is available here. • HRC offers a free helpline service called Infoline, which can be reached by dialling 0800 496 877 or by emailing infoline@hrc.co.nz • Information booklets in respect of HRC complaints is available here and sexual harassment is available here. <p>Ministry of Business, Innovation and Employment</p> <ul style="list-style-type: none"> • File a personal grievance with MBIE (under the Employment Relations Act 	<p>Helplines</p> <ul style="list-style-type: none"> • For a list of all available helplines please see here. • Some common helplines are listed below: <ul style="list-style-type: none"> ○ Lifeline – 0800 543 354 (0800 LIFELINE) or free text 4357 (HELP) ○ Suicide Crisis Helpline – 0508 828 865 (0508 TAUTOKO) ○ Healthline – 0800 611 116 ○ Women's Refuge Crisisline – 0800 733 843 (0800 REFUGE) (for women living with violence, or in fear, in their relationship or family) ○ Rape Crisis – 0800 883 300 (for support after rape or sexual assault). ○ Samaritans – 0800 726 666

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	<p>the named QCs directly, being:</p> <ul style="list-style-type: none"> ○ Jane Anderson QC ○ Denese Bates QC ○ Deborah Chambers QC ○ Jenny Cooper QC ○ Kate Davenport QC ○ Antonia Fisher QC ○ Rachael Reed QC <ul style="list-style-type: none"> • Please note that the above QCs are happy to be contacted directly in the first instance and will endeavour to provide as much assistance as they are reasonably able to, according to their areas of expertise and availability. Depending on the situation and with the person's consent, if further steps are required, it may be necessary for an instructing solicitor to be engaged and/or for a referral to be made to a specialist practitioner. • To reach a QCs anonymously, the person should simply leave a message with the Qc's PA or answering phone saying that they are ringing regarding AWLA. The QCs will recognise that as indicating that the person is wanting to speak to her anonymously and she will ring them back. 	<p>2000). Note: If the person wishes to raise a personal grievance with MBIE, the person had 90 days to raise it. More information on personal grievances generally is available here and on bullying, harassment (both sexual and racial) and discrimination is available here.</p> <ul style="list-style-type: none"> • MBIE also offers a free mediation service to any employer or employee. More information is available here. <p>Law Society</p> <ul style="list-style-type: none"> • The Society has indicated that its view is that, even if there is a non-disclosure agreement in place, the person should still be able to make a complaint (but it stops short of taking a formal stance on this). • The Law Society also has an online form which can be used to submit a confidential complaint. The form is available here. • The Law Society has also launched a helpline called Law Care where people in the legal community are able to discuss sensitive matters such as workplace harassment and the options and support they can access. The Law 	<p>Police</p> <ul style="list-style-type: none"> • A link to the Police's advice is here, with information about how a police complaint will be handled and links to other resources.

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	<p>Other</p> <ul style="list-style-type: none"> Many employers are signed up to an Employee Assistance Programme scheme, which provides a limited number of funded therapy/counselling sessions. Employers will know that a person has attended but will not be given details. 	<p>Care phone number is 0800 080 028 and callers are also able to email their concerns to lawcare@lawsociety.org.nz and request a call back.</p> <ul style="list-style-type: none"> If a person wants to make a complaint to the Law Society anonymously, Zoe Lawton is currently providing this option, where she will pass on the complaint. However, please note that Zoe Lawton is operating her service independently to AWLA, and may cease to offer this service at any time without prior notice to us. <p>Counselling and other therapy services</p> <ul style="list-style-type: none"> The Talking Works Directory is a directory of counsellors, psychologists and psychotherapists. Colleges and professional organisations can also be used to find a specialist (their respective directories/registers are linked below): <ul style="list-style-type: none"> NZ College of Clinical Psychologists NZ Psychological Society NZ Psychotherapists Board 	

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		<ul style="list-style-type: none">○ NZ Association of Psychotherapists○ NZ Association of Counsellors○ NZ Christian Counsellors Association <p>Accident Compensation Corporation</p> <ul style="list-style-type: none">• ACC can provide access to counselling services and other support here. <p>Auckland based support groups</p> <ul style="list-style-type: none">• In the Auckland region there are other support groups, some of which are listed here.	

LEGISLATION

(please note that the descriptions below are intended as general descriptions only)

Crimes Act 1961	<p>If physical harm is caused through bullying this may be a criminal offence and may be covered under the Crimes Act. This should be reported to police.</p>
Employment Relations Act 2000	<p>Providing a safe workplace for employees is an implied obligation in all employment agreements. If an employer breaches this obligation by failing to manage bullying and creating an unsafe workplace an employee may raise a personal grievance.</p> <p>The Employment Relations Act outlines penalties for certain breaches of duty of good faith within an employment relationship. Repeated verbal or emotional attacks on an employee may breach the duty of good faith – where parties to an employment relationship are required to be active and constructive in maintaining an employment relationship.</p>
Harassment Act 1997	<p>If the bullying leads someone to fear for their safety, then it may be covered under the Harassment Act.</p>
Harmful Digital Communications Act 2015	<p>If bullying is occurring through digital channels in, or out, of the workplace, then the Harmful Digital Communications Act might apply</p> <p>Harmful digital communication and cyber bullying includes:</p> <ul style="list-style-type: none"> • sending or publishing threatening or offensive material • spreading damaging rumours • sending or publishing sensitive personal information such as embarrassing photos and videos. <p>Digital communication is defined widely in the Act to include any form of electronic message such as texts, photos, pictures, recordings etc.</p>
Health and Safety at Work Act 2015	<p>The Health and Safety at Work Act may apply. The Persons Conducting a Business or Undertaking (PCBU) are required to eliminate workplace risks so far as is reasonably practicable. This includes eliminating the risk to psychosocial harm.</p> <ul style="list-style-type: none"> • Please note that not all notifications of workplace bullying will meet WorkSafe’s threshold for initiating a response.
Human Rights Act 1993	<p>The Human Rights Act may apply if the bullying includes discrimination including; racism, disability, sexual orientation, gender, etc</p>