

## Anti-bullying, harassment and discrimination policy Effective 1 July 2021

1. Matthews Law does not condone nor tolerate any form of unacceptable conduct at any level, including unacceptable conduct by way of using written or spoken language, digital or visual material and/or physical behaviour.
2. All clients, employees and other people Matthews Law engages can be expected to be treated with respect and without being subject to any form of unacceptable conduct.
3. **Unacceptable conduct** includes conduct amounting to bullying, discrimination, harassment, racial harassment, sexual harassment, theft or violence. These conduct are well defined in the Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care) Rules 2008 (**RCCC**), which are set out below.
  - a. **Bullying** is defined as repeated and unreasonable behaviour directed towards a person or people that is likely to lead to physical or psychological harm.
  - b. **Harassment** is defined as as intimidating, threatening, or degrading behaviour directed towards a person or group that is likely to have a harmful effect on the recipient and includes repeated behaviour but may be a serious single incident.
  - c. **Discrimination** is defined as “discrimination” as discrimination that is unlawful under the Human Rights Act 1993 or any other enactment.
  - d. **Racial harassment** is defined as behaviour that expresses hostility against, or contempt or ridicule towards, another person on the ground of race, ethnicity, or national origin and is likely to be unwelcome or offensive to that person (whether or not it was conveyed directly to that person).
  - e. **Sexual Harassment** is defined as subjecting another person to unreasonable behaviour of a sexual nature that is likely to be unwelcome or offensive to that person (whether or not it was conveyed directly to that person) or a request made by a person of any other person for sexual intercourse, sexual contact, or any other form of sexual activity, that contains an implied or overt promise of preferential treatment or an implied or overt threat of detrimental treatment.
  - f. **Violence** is defined as including physical violence, psychological violence, sexual abuse and sexual assault.
4. If you feel you have been subject to unacceptable conduct by any persons at Matthews Law or you witnessed any unacceptable conduct by any persons at Matthews Law, please discuss the issue with **Andrew Matthews** of Matthews Law. You may prefer to have this discussion with the support of a colleague or a friend. Any discussion between you and Andrew Matthews will be treated with the highest degree of confidence and privacy.
5. Any issue will be dealt with fairly, efficiently and in an effective manner strictly in compliance with Matthews Law’s policies and procedures. If the situation requires an external third party to intervene, a full investigation will be sensitively carried out and an appropriate course of action will be taken.

6. If you are not comfortable discussing with Andrew Matthews or require any additional support, external assistance may be available below:
  - a. The [Vitae Legal Community Counselling Service](#) on phone number 0508 664 981;
  - b. [LawCare](#) (another of the Law Society's services) on phone number 0800 0800 28;
  - c. The [National Friends Panel](#) (a further service provided by the Law Society). The contact details for members of that Panel are shown in that link.
  - d. Further, the [Auckland Women Lawyers' Association's Network of Women Panel](#) may be of assistance. You can receive a list of Panel members by emailing now@awla.nz (as shown in that link).
  - e. In the case of discrimination, the complaints procedure under the Human Rights Act 1993 can be considered. The Human Rights Commission offers a free, confidential service for anyone enquiring or complaining about discrimination, racial or sexual harassment – 0800 496 7877. Refer to <https://www.hrc.co.nz/enquiries-and-complaints/how-make-complaint>. There are other resources and organisations that can assist in relation to sexual harassment and assault:
    - i. Safe to Talk: Send a text to 4334 and they will text you back
    - ii. Police: 111
    - iii. HELP: 09 623 1700
  - f. In an employment situation, if an employee has attempted to resolve the problem within Matthews Law and is not satisfied with the outcome, the employee may raise a personal grievance with Matthews Law under the Employment Relations Act 2000. Refer to <http://employment.govt.nz/resolving-problems/steps-to-resolve/personal-grievance>.
7. If you are accused of unacceptable conduct, you will be given details of the complaint and the investigation process, and a reasonable opportunity to seek advice and support and to respond to the complaint. You will be entitled to have support and representation during the investigation, including attending at interviews and meetings. If after a full investigation the complaint is found to have merit, appropriate disciplinary action will be taken.