

CLAIMING THE LAW

ESSAYS BY NEW ZEALAND WOMEN
IN CELEBRATION OF
THE 1993 SUFFRAGE CENTENNIAL

Edited by
Elisabeth McDonald
and
Graeme Austin

Published
by the
Victoria University of Wellington Law Review
in conjunction with
Victoria University Press
1993

VICTORIA UNIVERSITY OF WELLINGTON
LAW REVIEW
in association with

VICTORIA UNIVERSITY PRESS
Victoria University of Wellington
PO Box 600 Wellington

ISBN 086473-257-0

First published 1993 by Victoria University Press
and as
(1993) VUWLR Volume 23 Part 2

This book is copyright. Apart from any fair dealing for the purpose of private study, research, criticism or review, as permitted by law, no part may be reproduced by any process without the permission of the publishers.

Printed by Stylex Print, PO Box 321, Palmerston North, New Zealand

CONTENTS

Acknowledgements

Foreword by Dame Miriam Dell

1	My Life in the Law <i>Shirley Smith</i>	1
2	Issues for Women in Claims for Medical Misadventure <i>Margaret A McGregor Vennell</i>	13
3	Legislative Changes in the Criminal Justice System: Women's Issues and Victim Legislation Since 1975 <i>Hon Judge C Henwood</i>	41
4	Balancing or Juggling Our Private and Public Lives? <i>Joanne Morris</i>	49
5	Engendering Poverty: Rolling Back the State on New Zealand Women <i>Jane Kelsey</i>	59
6	Notes From a Woman Lawyer in Government <i>Joy Liddicoat</i>	77
7	A Woman's Place is ... on the Bench <i>Janet November</i>	85
8	The Reasonable Person: a Gendered Concept <i>Wendy Parker</i>	105
9	The Law of Contract and the Taking of Risks: Feminist Legal Theory and the Way It Is <i>Elisabeth McDonald</i>	113
10	One Woman's Experience of Commercial Practice <i>Teresa Shreves</i>	121
11	Refining the Regulation of Sexual Harassment <i>Virginia Grainer</i>	127
12	Discrimination in New Zealand: a Personal Journey <i>Mai Chen</i>	137

13	Law in the Slow Lane <i>Anne Holden</i>	149
14	Lessons From Feminist Epistemology: Toward an Environmental Jurisprudence <i>Sally Bullen</i>	155
15	How Legal Education Will Assault You as a Woman <i>Carmel Rogers</i>	167

List of Contributors

ACKNOWLEDGEMENTS

The financial support of the 1993 Suffrage Year Centennial Trust, Whakatuu Waahine, for the production of this volume is gratefully acknowledged. The editors would also like to thank Professor Tony Angelo, Bill Atkin, Denise Blackett, Geoffrey Melvin, Fergus Barrowman and the Board of Victoria University Press for their encouragement and support.

Elisabeth and Graeme dedicate their work on this volume to their mothers.