

Clerkships, internships and employment while studying: What to do if you experience harassment

Our pledge of support for you

Victoria University regards harassment of any kind involving students, whether on or off campus, as unacceptable. Law students have the option to do an internship as part of LAWS 550, apply for summer clerk positions in law firms, or take employment generally (such as in retail outlets, banks, cafés or other places of employment). These can be wonderful opportunities. Wherever you choose to work, you are entitled to be safe and happy. If harassment, bullying or discrimination compromises this in any way, Victoria University will support you and enable you to access help.

What is harassment?

Generally, harassment is unwelcome, unsought and unreturned behaviour by a person or group that tends to offend, humiliate or intimidate, and interferes with your right to work in a non-threatening environment. Forms of harassment can range from repeated apparently trivial behaviour to behaviour of such a significant nature that it has a detrimental effect on your ability to engage in normal activities.

When you go on an internship or summer clerk role, the firm or company offering the opportunity is in a powerful position in relation to you because the internship/clerkship may turn into a job once you finish your degree. Whether you are clerking or working in a job of any kind you may feel obliged to do everything you are asked to do while in that role. This is not the case and you should be very clear that you are not obliged to comply with any requests of a harassing, bullying or discriminating nature. These types of behaviours can be subtle, hard to define, and can be dependent on the environment they happen in, so if you are unsure please talk to someone.

Forms of harassment

Harassment can take different forms. The following descriptions may help identify it:

- **Sexual Harassment** – unsought, unwanted attention, comments or other behaviour of a sexual nature. Sexual harassment is not confined to any gender or sexuality, and it may be subtle or obvious. It includes requests for sex, sexual contact or sexual activity by your employer, colleagues or clients with direct or implied threats or promises about how you will be treated at work or your future job security. It also includes language, visual material, or physical behaviour of a sexual nature that is unwelcome or offensive to you and is either repeated, or of such a significant nature, that it has a detrimental effect on your ability to engage in work activities, your job satisfaction, your job performance or your general well-being.
- **Racial Harassment** – includes the use of hurtful or offensive language, visual material or physical behaviour that directly or indirectly expresses hostility, contempt or ridicule to you on the basis of your race, colour, ethnic or national origins, and is repeated or so significant that it has a detrimental effect on your employment, job satisfaction or job performance. It can still be harassment where the person did not intend to racially harass you.
- **Other types of harassment** – unwelcome, unjustified behaviour that you find offensive or humiliating, such as comments, visual material or behaviour that expresses hostility, ridicule or intimidation of people on the basis of characteristics such as gender, age, sexual orientation, appearance and sexual preference etc. This may include a general atmosphere of regular teasing or jokes, which may amount to bullying if repeated.

In its most serious forms, harassment may amount to a criminal offence. For example, in the case of serious sexual harassment, such offences could include criminal harassment, indecent or physical assault and/or sexual violation.

Situations to look out for

Situations which might give rise to harassment issues for you in the context of your internship, clerkship or other employment include:

- being asked to meet a partner or senior member of the firm or company at their home or a restaurant to work on a file outside working hours
- being encouraged or instructed to attend drinks after work, where you are encouraged to drink excessively or not discouraged from doing so
- a manager, colleague or client keeps making comments about your appearance, character or friendliness
- offensive comments or jokes about a person's race, culture, religion, sexual orientation, gender identity, appearance or other personal characteristics
- sexual or smutty jokes
- unwanted comments or teasing about a person's sexual activities or private life
- offensive hand or body gestures
- physical contact such as patting, pinching or touching
- provocative posters with a sexual connotation
- online comments, pictures or posts about a person's sexual activities, race, gender or other personal characteristics
- persistent and unwelcome social invitations (or telephone calls or emails) from workmates – at work or outside of the workplace
- hints or promises of preferential treatment in exchange for sex
- threats of differential treatment if sexual activity is not offered.

What can you do about harassment?

Don't be afraid to act. If you are harassed at work, the most appropriate course of action is to complain to an appropriate senior manager at your workplace so that they can respond, if you feel able to do that. However, you can also seek guidance and advice about your options at any stage from the University.

People you can talk to include:

- **Emma Mossman**, Manager, Student Interest and Conflict Resolution – emma.mossman@vuw.ac.nz, 04 463 5023, room RS111 (Robert Stout Building, Kelburn Campus, accessible from Hunter Building Gate 2 off Kelburn Parade)
- **Kevin Rowlatt**, Associate Director, Mauri Ora – kevin.rowlatt@vuw.ac.nz, 04 463 6441, Mauri Ora, Level 1, Student Union Building (Kelburn Campus)

At the Law School (Old Government Building, 55 Lambton Quay):

- **Eleonora Bello**, Student Success Coordinator, – eleonora.bello@vuw.ac.nz, 04 463 6340, room GB111
- **Lucy Keyzers**, Manager, Student and Academic Services – lucy.keyzers@vuw.ac.nz, 04 463 6187, room GB210
- **Carol Sorenson**, Faculty/School Manager – carol.sorenson@vuw.ac.nz, 04 463 6337, room GB206
- **Yvette Tinsley**, Associate Professor – yvette.tinsley@vuw.ac.nz, 04 463 6308, room GB213

You can also access expertise in confidence at the following:

- Mauri Ora -Student Health and Counselling – 04 463 5308
- Student Advocate (VUWSA) – advocate@vuwsa.org.nz, 04 463 6984
- Vice-President (Welfare) (VUWSA) – welfare@vuwsa.org.nz, 04 463 7406

More information about help available, including from external organisations, is on our website:

<https://www.wgtn.ac.nz/students/support/student-interest-and-conflict-resolution/reporting-concerning-behaviour>

(Although the information on this page refers to sexual violence, it is equally relevant to obtaining help in relation to sexual harassment and other forms of harassment.)