

FOREWORD - KUPU WHAKATAKI

Academic conferences are integral to the process of developing and disseminating research and research-based teaching and learning which, in relation to law, can inform policy and law reform as well as judicial decision-making. Conferences are a place where researchers can exchange ideas and form collaborative networks across the discipline. However, conferences can also be dominated by certain voices (cisgender Pākehā men, for example) and be absent of others. If gender or intersectional issues are discussed, they are often lumped into one panel and placed “over there”.

As young female academics with marginalised identities attending conferences, we have experienced this time and time again. Cassandra, as a neurodivergent queer woman engaging in feminist legal research, sometimes feels alienated in academic spaces like conferences. As a feminist immigrant woman of colour researching human rights law, Lida often finds herself in the minority in academia, both in her home country of Iran and elsewhere.

So, in 2018, a conference was proposed. This conference would place the intersection of gender and law front and centre. It would seek to prioritise diverse voices and provide an opportunity to present research to those who might not otherwise have had that opportunity. In addition, the conference would provide a forum for dialogue across the law profession—undergraduate and postgraduate students, practitioners and academics—as well as create space for personal and professional reflection and the sharing of our stories, thereby placing a feminist lens on the academic conference. That was the kaupapa of the Symposium on Law and Gender: Beyond Patriarchy.

Postponed by the challenges of the pandemic and finally taking place online on 1 February 2022, the Symposium was a collaboration between the AUT Law School Te Wānanga Aronui o Tāmaki Makau Rau and New Zealand Women’s Law Journal – Te Aho Kawe Kaupapa Ture a ngā Wāhine. Almost 200 people from around Aotearoa registered for the event, including law academics, practitioners, students, members of various non-governmental organisations, and the general public.

On the day, twelve presentations were delivered on various issues relating to law and gender in Aotearoa. Associate Professor Khylee Quince’s keynote on wāhine Māori and feminism contextualised the unique nature of the law and gender debate in Aotearoa. Other presentations covered themes of judicial constructions of sexual orientation, gender identity as a prohibitive ground for discrimination, responses to sex and gender-based violence, gendered financial abuse, consent and evidence related challenges in sexual violence proceedings, and intersectional lived experiences of women lawyers in Aotearoa. The presentations were received with much interest from the audience and created some of the liveliest and engaged debate and sharing of constructive feedback we have ever witnessed at an academic event.

Of the articles presented, a few were submitted and selected for publication in this Special Edition. Using the Canterbury Earthquakes as a demonstrative example in her article, Professor Annick Masselot posits responses to natural disasters as contributors to inequality which warrant the adoption of a feminist perspective. Phoebe Moir’s article canvases the trans inclusivity of women-only safe houses in Aotearoa and advocates for more inclusive policies and perspectives. The analysis of the Property (Relationships) Act 1976 by Freya

McKechnie and Emma Phelps focuses on how the law can be abused through power imbalances and gendered financial dynamics in a relationship. Nadia Murray-Ragg's article calls for revisiting the practices around the use of sexual history evidence in sexual violence trials. Finally, Alice Mander and Reina Vaai reflect on their lived experiences of belonging to marginalised minority groups while practising law in Aotearoa.

As Co-Directors of the Symposium, we are grateful for the support of AUT Law in hosting the event and the New Zealand Women's Law Journal – Te Aho Kawe Kaupapa Ture a ngā Wāhine for allowing an opportunity for the panellists to publish their work. Likewise, we are thankful to Ella Maiden and Kat Werry for their tireless support and diligence in putting together this wonderful collection of articles. We also have a host of others to thank for their important contributions to the Symposium, including Associate Professor Khylee Quince, Blaze Leslie, Paula Ioapo, Monique van Alphen Fyfe, Paulette Benton-Greig, Christopher Whitehead, Dr Eddie Clark, and Yasmin Olsen.

Returning to the kaupapa of the Symposium, a small follow up story: during the day's discussions, panellists spoke about barriers for young women entering the legal profession, particularly for Māori and Pasifika. One such barrier was the difficulty of purchasing work clothes. A female colleague from the University of Canterbury was especially moved by these comments. After the Symposium, with the support of two others, she took up the cause with the New Zealand Law Society, whose General Manager agreed to raise the issue at the next national meeting.

This is a reminder that our stories have power to make change, legal and otherwise (albeit, a slow change). It is an illustration of the importance of kōrero that blend the academic and the personal, and that these intersectional and intergenerational conversations are part of our path to moving beyond patriarchy.

*Dr Cassandra Mudgway, Senior Lecturer, University of Canterbury Faculty of Law
Dr Lida Ayoubi, Senior Lecturer, Auckland University of Technology Law School*

18 May 2022