



**WELLINGTON**  
**NEW ZEALAND LAW SOCIETY**

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**WELLINGTON BRANCH**  
**NEW ZEALAND LAW SOCIETY**

**ALCOHOL, DRUG AND SAFETY POLICY**

## INTRODUCTION

The vision of the Wellington Branch of the New Zealand Law Society (**the Branch**) is:

**Professionalism, inclusiveness and collegiality in everything we do.**

The mission of the Branch is to provide the following representative services to lawyers throughout the Wellington region:

- Professional development in the form of seminars, workshops and subject area committees
- Social events to enhance networking and collegiality in the profession
- Recognition and celebration of the achievements of our members
- Advocacy to the Council and Board of the Law Society on issues of importance to our members
- Practising well and peer support
- Up to date communications of relevance to career or practice development
- Leadership of initiatives to promote inclusiveness and the retention of lawyers in the profession

This Policy is informed by and supports the Branch's vision and mission. Its purpose is to inform members of the Branch about the standards of conduct expected at Events. It also sets out the Branch's policy on alcohol, drugs and personal safety and explains some of the steps that may be taken if behaviour breaches this Policy.

## SUMMARY

**At all times, members of the Branch and their guests are expected to:**

- respect the rights, dignity and worth of other Attendees and any staff of the Venue hosting the Event;
- treat everyone equally regardless of sex or gender identity, disability, race, colour, ethnic origins, religious or ethical beliefs, sexual orientation or marital status;
- display control, courtesy, respect, honesty and professionalism towards others;
- accept responsibility for their actions;
- refrain from any form of verbal, physical or emotional abuse towards others;
- refrain from any form of sexual or racial harassment, whether verbal or physical;
- refrain from consuming, supplying or being under the influence of illegal drugs; and
- comply with lawful and reasonable directions, instructions and policies, including any set by the Venue hosting the Event.

## DEFINITIONS

In this Policy, the terms which follow have the meanings indicated, unless the context otherwise requires:

**Attendee** means any person who attends any Event other than a person attending as Venue staff.

**Branch** means the Wellington Branch of the New Zealand Law Society, including the Branch Council and the committees which operate under the authority of the Branch Council.

**Branch Council** means the Council of the Branch established under rule 3.5 of the Lawyers and Conveyancers Act (Lawyers) Constitution 2008.

**Complainant** means a person who complains of having been subject to harassment, assault or discrimination at an Event.

**Event** includes any event organised, or partially organised, by the Branch.

**Harassment** means unwelcome and inappropriate behaviour that makes a person feel offended, humiliated, intimidated, frightened or uncomfortable. For example, harassment may include verbal or non-verbal intimidating behaviour, direct or indirect insults, and giving offensive material to a person or leaving it where it will be found by, given to, or brought to the attention of, a person.

**Organiser** means the Branch Council or committee of the Branch which organises an Event.

**Racial harassment** means behaviour that directly or indirectly expresses hostility against or brings into contempt or ridicule any other person on the grounds of their race, colour, or ethnic or national origins. It may include offensive remarks or jokes about a person's race or cultural differences, racist name-calling, deliberately mispronouncing names, making fun of the way people dress, speak or look relating to their ethnic origin, and racially offensive material.

**Safety Contact** has the meaning assigned by clause 3.

**Sexual harassment** is unwelcome or offensive behaviour of a sexual nature (including the use of words, actions or visual material). For example, sexual harassment may include:

- **Physical behaviour** such as unwanted physical contact, inappropriate touching, unnecessary physical closeness, offensive facial, hand or body gestures and physical violence, including sexual assault.
- **Verbal behaviour** such as inappropriate comments on clothing, appearance or other physical characteristics, inappropriate or excessive questions about a person's private life, sexual

comments or jokes, sexual advances, repeated and unwanted social invitations for dates or intimacy, insults based on sex and condescending or paternalistic remarks.

- **Non-verbal behaviour** such as the display of sexually explicit or suggestive material, whistling, leering, and obscene or pornographic electronic message.

**Venue** means the premises or other location where the Event is being held.

## **POLICY**

1. This policy applies to all Attendees at any Event. If an Attendee is not a member of the Branch, the member of the Branch who invites that non-member must ensure that the non-member is aware of this policy and take reasonable steps to ensure the non-member complies with it.
2. This Policy must be:
  - a. Provided to the Venue for distribution to the Venue staff;
  - b. Made publicly available through the Branch webpages and any other website or social media platform which is used in connection with the Event; and
  - c. Drawn to the attention of any person registering to attend an Event.
3. The Organiser of an Event must appoint a Safety Contact for that Event. The Safety Contact is responsible for ensuring that this Policy is complied with at the Event and must be available to be contacted by any Attendee if issues arise at or after the Event. The Safety Contact must not consume any alcohol at the Event.
4. The Organiser must provide all Attendees with the contact information of the Safety Contact at the Event. This is to be done by posting the following notice in appropriate locations in the Venue, eg the bathrooms:

“The Law Society is dedicated to ensuring its events are safe for all attendees. If you are, for any reason, feeling unsafe or are concerned about the behaviour or safety of another attendee, please contact [name] on [cell] who will assist and intervene if necessary.”
5. The Venue staff must also be made aware of the Safety Contact’s identity and requested to notify them of any issues that arise prior to, or after, the Event.

### **Alcohol**

6. Any Attendee who is or becomes unacceptably intoxicated may be required to leave the Venue at the discretion of Venue staff. The Safety Contact must alert Venue staff if they become aware of any Attendee who is unacceptably intoxicated.
7. The Safety Contact must take reasonable steps to ensure that any Attendee removed from an Event is able to get home safely.

8. If alcohol is to be served at an Event, the Organiser must take reasonable steps to ensure that alcohol consumption will not become unsafe, including:

- a. Ensuring that sufficient food and non-alcoholic drink options are available;
- b. Specifically considering the amount of alcohol to be served;
- c. Monitoring the alcohol consumption of Attendees; and
- d. Requesting the Venue staff to prevent one or more Attendees from obtaining any more alcohol during the Event, if necessary.

### **Drugs**

9. Illegal drugs must not be possessed, consumed or supplied at any Event. If Attendees are found supplying illegal drugs, the Police may be contacted.

10. Any Attendee who appears to be under the influence of, or is supplying, illegal drugs may be refused entry to the Event, or required to leave the Venue, at the discretion of the Safety Contact or Venue staff.

### **Harassment, assault and discrimination**

11. The Branch has zero tolerance for harassment, assault or discrimination directed at any Attendee or Venue staff. This includes harassment or discrimination on the basis of sex, gender identity or presentation, employment status, race, ethnicity, disability, age, religion and pregnancy, or for any other reason.

12. Attendees must not harass or assault any other Attendee or Venue staff.

13. If an Attendee is requested by another person at the Venue to cease any conduct which is making them or others feel uncomfortable, the Attendee must either comply with that request or leave the Venue.

14. Nothing in this Policy prevents a person being instructed to leave a Venue without warning by the Safety Contact or Venue staff for harassing, discriminatory or otherwise unacceptable or

unsafe behaviour. Police may be contacted if the Safety Contact or Venue staff consider that such behaviour may constitute an offence and/or poses a risk of harm to any person.

15. Complainants are encouraged to adopt one or more of the following courses of action, as they see fit:

- a. Tell the alleged perpetrator that the conduct is unwanted and unwelcome;
- b. Raise the matter with the Safety Contact at or following the Event;
- c. Raise the matter with a representative of the Organiser or the Branch Council;  
and/or
- d. Raise the matter with an appropriate agency external to the Branch.

16. If contacted by a person under clause 15, the Safety Contact, Organiser or Branch Council must:

- a. Promptly and confidentially advise the complainant on his or her options, if requested;
- b. Demonstrate empathy with the complainant; and
- c. Refer the complainant to specialised services or agencies, either within or external to the Branch, as appropriate.

17. Harassment, assault, or discrimination may constitute misconduct or unsatisfactory conduct for the purposes of the Lawyers and Conveyancers Act 2006, depending on the circumstances. In addition to the obligations imposed by this Policy, any lawyer who has reasonable grounds to suspect that another lawyer has been guilty of misconduct or unsatisfactory conduct should make a confidential report to the Law Society at the earliest opportunity.<sup>1</sup> If the lawyer suspects misconduct, that obligation is mandatory.

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<sup>1</sup> Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care) Rules 2008, rr 2.8 and 2.9.



### **Complaints by Attendees**

18. If an Attendee has any concerns regarding the manner in which this policy has been implemented in respect of an Event he or she has attended, the Attendee may submit a complaint in writing to the Organiser or the Branch Council.

Adopted by resolution of the Branch Council on 15 August 2019

# Appendix one: Best Practice Guidelines

Purpose: The purpose of these Guidelines is to assist the YLC in dealing with inappropriate behaviour at social events run by the YLC.

1. Should Attendees engage in inappropriate behaviour at a YLC Social Event the consequences are as follows:
  - a. Paying for the damage resulting from their actions; and/or
  - b. A warning that their attendance at future social events may be disallowed; and/or
  - c. A one-year ban from attending YLC Social Events.
2. In each case, the YLC convenor assisted by the Health and Safety Officer will assess the situation/behaviour and impose the consequence.
3. Inappropriate behaviour can include but is not limited to:
  - a. Drunk and Disorderly Behaviour;
  - b. Property Damage and Theft;
  - c. Violence or abuse (physical or verbal).

## **Note**

These guidelines are separate/ in addition to the reporting obligations under rules 2.8 and 2.9 of the Lawyers and Conveyancers Act (Lawyers: Conduct and Client Care) Rules 2008 (**Rules**).

Attendees at YLC events are reminded of the professional standards expected under the Rules.