

EQUAL JUSTICE PROJECT

2014

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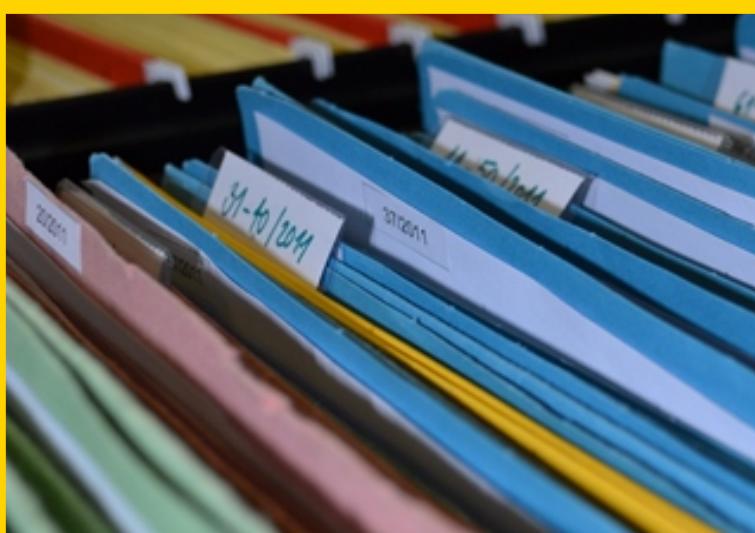
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WHO ARE WE?

WHAT DO WE DO?

Founded in 2005, the Equal Justice Project (EJP) is the brainchild of Auckland Law School students Eesvan Krishnan and Peter Williams. Nine years later, EJP continues to flourish under the leadership and participation of students from the Faculty of Law who share a passion for social justice. Rt. Hon E.W. (Ted) Thomas DCNZM QC, the patron of EJP, has often discussed the importance of inculcating a “pro bono ethic” among law students. If law students appreciate the importance of pro bono services at an early stage in their careers, Sir Ted hopes that we will see a shift toward law as a profession instead of a business.

The goal of the Equal Justice Project is to empower and support communities by addressing issues of equality, access to justice, redress, representation and knowledge. The five different limbs of the EJP – Pro Bono, Community, Schools, Outreach and Communications – work together to achieve this goal. As budding members of the legal profession, volunteers contribute their time, creativity, skills and knowledge for the benefit of the wider community.

PRO BONO

Armed with excellent legal research and writing skills, Pro Bono volunteers work in tandem with practitioners, community groups and interest organisations to achieve equality and inclusivity. Working in the Pro Bono team gives able volunteers the chance to engage in practical legal experience. External groups benefit from the volunteers’ research, conducting of case studies and compiling submissions.

After meeting with the ADLS Public Law Committee, volunteers worked on a Civics Education project, with the goal of constructing a framework for a project in New Zealand. This required researching overseas approaches to civics education at primary and secondary school levels; the results of which are reproduced in this publication.

Late in 2014, Pro Bono embarked on a project to challenge the Five Eyes network. Research is

currently underway for Privacy International to see if there is a claim to protect foreigners living in New Zealand from the government spy programme.

Richard Francois (one of the barristers working with EJP) has been busy in court litigating prisoners’ voting rights, using research that the Pro Bono team helped to prepare. The team undertook research tasks to determine what breaches and remedies are contestable under the Bill of Rights Act 1990 and to assist in the High Court challenge to the removal of electoral rights from prisoners. We are waiting to see whether the High Court grants a declaration of inconsistency and whether there is a policy change.

An upcoming project for Pro Bono involves the Department of Corrections' engagement with Maori.

COMMUNITY

The EJP Communities team supports the work of Community Law Centres. Volunteers assist the centres by interviewing clients, writing case files, drafting letters and providing the public with information and advice.

At Community Law Centres, volunteers have the unique opportunity to work in a different learning environment to that of the lecture theatre. Volunteers are able to apply their newly learned legal skills to real-life cases.

During 2014, EJP Community moved into work with select Citizen's Advice Bureaus in Auckland. Community volunteers are assisting as reception staff and in other behind-the-scenes roles to help the great work that CABs do.

Our work with the Waitemata Community law Centre (which has just completed its workplace expansions) is in full force again, and we have worked on the Auckland Community Law Centre’s new volunteer-run legal phone line; which aims to ensure that clients can get information and assistance or be referred to an appropriate member of the legal team quickly.

SCHOOLS

Running legal education seminars in medium-to-low decile high schools within the Auckland region, the Schools team enables high-school students to engage with practical and relevant legal information.

In 2014 Schools was mainly involved with Otahuhu College, Mangere College and Crosspower. A main focus of the team is programme development. In past years, modules have covered topics including flatting, the Internet, police and consumer law. New programmes will cover areas of family, health and sex, employment and police. As 2014 was election year, the team included a programme on voting in the programme for schools.

In term 3, the Schools began to broaden its focus by holding employment and consumer presentations for senior students; aiding their transition to adult life.

OUTREACH

The Outreach team has the mission of increasing awareness of legal issues on campus and in communities. Its portfolios include raising knowledge about EJP within the student body, hosting a range of thought provoking events for students and the community, raising funds for our community partners through creative avenues and presenting written and oral submissions on parliamentary bills.

2014 began with a bang. A symposium on drug reform was held in April at the Faculty of Law with the panel comprising of Khylee Quince (senior lecturer at the Faculty of Law) and MP Simon O'Connor. The panel expressed a variety of perspectives when addressing controversial issues and concerns.

The team also made a submission on the Buildings (Earthquake-Prone Buildings) Amendment Bill, voicing objections to the proposal to allow circumvention of the usual requirements for disability access when earthquake-proofing buildings. With regards to the Education Amendment Bill (No 2), Outreach submitted in support of having more diverse members on tertiary education councils.

In relation to our community partners, Women's Refuge and Blind Foundation, the team raised close to \$500 through bake sales. Moreover, the team has encouraged students to donate clothes and books for Women's Refuge.

In Semester Two, Outreach continued its work with the Auckland Women's Centre; completing further research on Family Law for women going through the Family Court process, and gave a seminar on some of

the bias in the system for the Women's Centre to present to MPs.

At the end of August, Outreach held a political candidates forum on sexual offending law reform, at which speakers from 8 of the 10 major political parties were present. Volunteers also wrote a symposium paper in conjunction with the event. Outreach also submitted on the Crimes (Match-fixing) Amendment Bill, which proposed to make match-fixing in sport a crime.

COMMUNICATIONS

As the voice of EJP, the Communications team foster and maintain relationships between EJP teams, practitioners, organisations and community groups. This is achieved through various means.

The Communications team has worked all year to create content for the Cross Examination blog. Currently there are ten published articles on the blog, exploring various topics of social interest from an opinion on Asian under-representation in Parliament and the Judiciary to the issue of legal highs.

The Communications team also spent the year working towards greater interaction between EJP project teams. Internal websites for each of the EJP groups were set up and internal bulletins were sent to volunteers throughout the year.

Currently, the Communications team is working toward increasing the number of EJP articles featured in external publication. This is with the view to broaden EJP's audience and raise awareness of social justice issues in more areas of the community and the profession.

The Communications team has started 2015 by producing the first ever EJP publication - which you're reading now!

EJP offers the opportunity for students to give back to the community and the legal profession, whilst gaining practical skills for their careers. Knowing this is a worthy cause, students pour in whatever they have – time, effort, skill and more – to support the common belief in the importance of social justice. As such, EJP is always on the look out for new ways to further equal justice.

Please do not hesitate to get in touch with us by emailing directors@equaljusticeproject.co.nz if you are interested in getting involved with EJP, would like us to work together, or have any suggestions for us. ■

By Linda Gu, EJP Communications Volunteer 2014

DIRECTORS' OVERVIEW

This year has been one of the Equal Justice Project's best yet. 2014 saw over 150 volunteers involved in the organisation, a successful blog entitled Cross-Examination being a source of interesting social justice analysis, over 1500 hours spent volunteering in Community Law Centres, seven pro bono projects completed for practitioners, the creation of a separate Law in Schools team and one of the most well attended events EJP has ever had: a panel discussion on Sexual Offending Law Reform with electoral candidates. We were also nominated for Best General University Club of the Year, in which EJP received Runner Up to the Debating Society, a well-established club with nearly 1000 members. This is also the first year we have produced a publication like this.

The aim of this publication is to showcase the impressive work that our volunteers are undertaking and the impact that we believe EJP is having, both on campus and out in the community. For the last nine years, EJP volunteers have been beavering away in Community Law Centres, out in Auckland schools or conducting research about crucial social justice issues. We felt that it was time to highlight the incredible work that our volunteers have been doing.

Each year EJP increases in size and in its reach. This year we have developed new community relationships with the Auckland District Law Society, the Auckland Community Law Centre, local Citizens Advice Bureaus and Privacy International. We have held events with speakers such as electoral candidates from all major political parties and with successful legal practitioners including Frances Joychild QC, the Rt Hon Sir Anand Satyanand, Golriz Ghahraman and Theo Baker. Our online presence has also increased, with concerted efforts being made to raise awareness about social justice issues through our blog and social media.

We would just like to take this opportunity to thank some key people: we could not achieve anything without our volunteers, our student managers and our

Advisory Board, who provide us with guidance and ongoing support.

We are proud of EJP and the work of our volunteers. EJP continues to provide law students with the opportunity to tackle issues of equality, redress and representation for those who need it most. At our Public Interest Careers Evening some of the speakers commented that they "wished there had been something like EJP while they were at law school." Statements like this affirm the need for such an organisation to exist for law students.

We hope you enjoy reading about EJP's successes in 2014 as much as we enjoyed seeing them unfold. ■

Rosa Polaschek and Allanah Colley were the EJP Directors for 2014.



Upper: EJP Outreach Drug Law Reform Symposium (April 2014)

Lower: EJP Public Interest Careers Evening (September 2014)

EJP Executive 2014

Directors Rosa Polaschek and Allanah Colley

Communications
Imogen Allan
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Pro Bono
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In Schools
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COMMUNICATIONS

From *Cross-Examination* - 'Where are New Zealand's Asian Representatives?'

By now, I suspect all Asian New Zealanders should be able to tell when it is an election year thanks to the familiar, soothing sound of Winston's dog whistle every three years. Every election year we're reminded that it seems like there's nothing quite like whipping up a nationalistic fervour to improve your electoral chances. But it's 2014 now – things have changed since the last time Winston Peters rode "Yellow Panic" to 10.38 per cent of the vote in 2002, right? According to the 2013 Census, 12 per cent of New Zealand's total population are of Asian descent (and rising rapidly – Asians are projected to overtake Maori as the second largest demographic within two decades).¹ In the city centres it's even more pronounced, with almost 1 in 4 people living in the Auckland region identifying with an Asian ethnic group. Where I grew up, in Botany in East Auckland, a whopping 38.8 per cent of the population are Asian and at my alma mater, Botany Downs Secondary College, Asian students outnumber European/Pakeha students by over one hundred.²

With the Asian demographic growing at such a rapid rate, shouldn't we now see a corresponding increase in influence politically, economically, and socially? While a purely representative legislature or judiciary may be wishful thinking, it is still a little jarring to see the level of underrepresentation of minority voices in Parliament and on the Bench. Currently there are a grand total of four Asian Members of Parliament – and all of them are low ranking backbenchers. The National Party carry three of the four Asian MPs (Melissa Lee, Kanwal Singh and Jian Yang), who are ranked from 34 to 36 on their party lists respectively. The sole other Asian MP is Labour's Raymond Huo, ranked 21 on the Labour list. It's definitely possible for non-Asian parliamentarians to be an effective advocate for Asian perspectives. But the low (token?) rankings given to Asian candidates are in my opinion perhaps indicative of a lack of regard for the importance of ensuring strong Asian

voices in our political system. Whilst Maori and Pasifika issues are (quite rightly) represented by a Minister for Maori Affairs and a Minister for Pacific Affairs, there is no standalone government Ministry for Asian affairs. Rather, all Asian issues are shoehorned into the rather broad Ethnic Affairs portfolio. In the judiciary, the picture is even more lily white. At last count, just two of the 130 District Court judges in New Zealand were of Asian descent.³



Jian Ying, National List MP. Following the 2014 General Election, which occurred after Jason's article went to print, Dr Ying is now the only Member of the House of Representatives who self-identifies as being of Asian heritage.

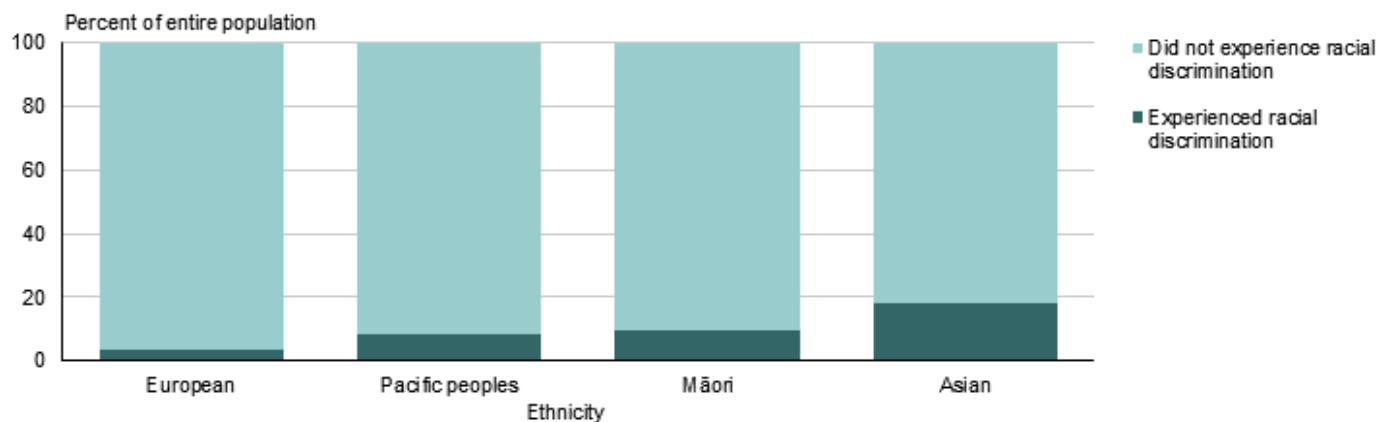
The reasons for the underrepresentation in parliament appears to be pretty clear cut – an appallingly low level of voter participation among Asian immigrants. According to a New Zealand General Social Survey, 35 per cent of Asians said they did not vote in the last General Elections – this is the highest level of non-participation among ethnic groups, and second only to youth in non-participation across all demographics.⁴ Studies abroad in regards to Asian American electoral non-participation suggest that language barriers and a lack of cultural assimilation or identification lead to a lack of participation in the political process.⁵ Language barriers make it difficult to understand how New Zealand's MMP system works, and a lack of cultural acclimatisation often leads to a lack of interest in engaging with domestic politics.

There may also be some chicken or the egg factors at play, as the lack of credible Asian candidates that Asian New Zealanders can be proud of does little to encourage Asian New Zealanders to vote. Who can forget Melissa Lee's infamous gaffe during campaigning for the Mount Albert by-elections when she implied that it was desirable to keep South Aucklanders away from her electorate due to their supposed criminal proclivities?⁶ As a matter of fact, studies have shown that the presence of guaranteed Maori representatives in Parliament have led to changes in Maori attitude towards politics, with a greater belief in the efficacy of political engagement and a greater sense of empowerment.⁷ This has contributed to an increased rate of political participation for Maori. Similarly, the symbolic value of

(and as such strong representation is necessary in order to address these issues in an equitable way), by comparison Asians really do by and large appear to be living up to the 'model minority' moniker.

However, that's not to say Asian New Zealanders are without issues which need addressing. For example, it's been well documented (both here and abroad) that Asian women are far less likely to go to the police or other authorities if they suffer domestic abuse.¹⁰ The factors contributing towards battered women's syndrome generally are perhaps even more pronounced and exacerbated by language and cultural barriers which make it more difficult for migrant Asian women to seek help. Isolated from support systems and faced with dealing with police and the court system in their second language, many

Respondents who experienced racial discrimination in the last 12 months
By ethnicity



Source: Statistics New Zealand

high ranking Asian Parliamentarians cannot be ignored when considering the effects of under representation.

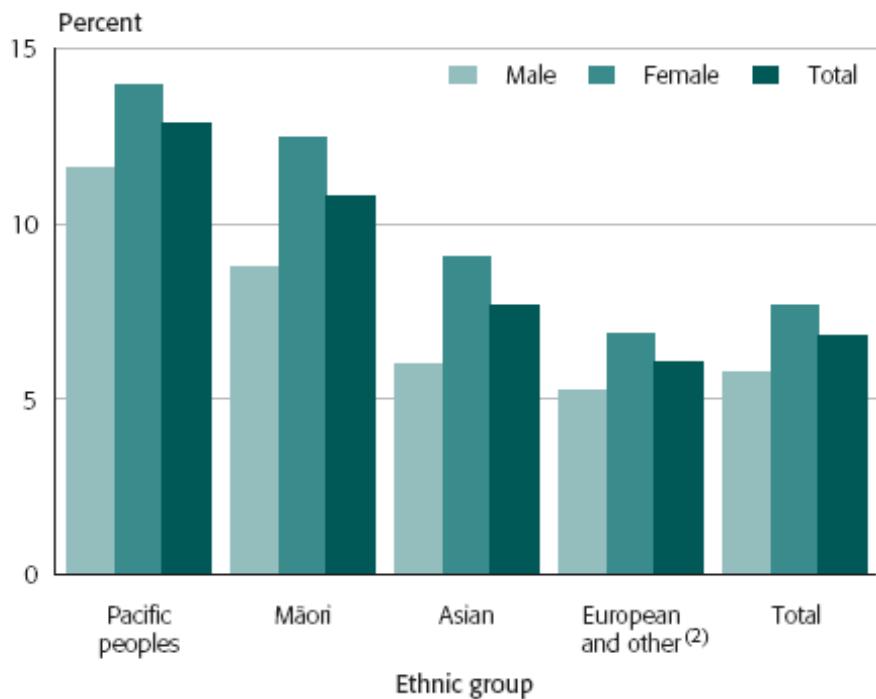
Despite the under representation in the legislature and judiciary, at first glance Asian New Zealanders do not appear to be suffering from many outright injustices as a result. In fact Asian New Zealanders are under-represented in many crime statistics, and Asians make up only 3 per cent of the total prison population.⁸ According to a survey by the Ministry of Justice on trust and confidence in the justice system, Asian respondents showed a remarkably high level of trust in the justice system and a high level of understanding of judicial processes across a range of different areas.⁹ While Maori and Pasifika are over-represented in a number of health and crime statistics

instances of abuse will go unreported.¹¹ Also relevant is their immigration status – often the prospect of deportation can be an incentive not to 'raise a fuss' by seeking help when abused. This latter factor also comes into play in regards to employment disputes for immigrant workers, some of whom are paid well below the minimum wage.¹² This reluctance to go to the authorities may suggest that abuse is in fact underreported in the Asian community.

There are also some worrying gaps in health policy which do not take into consideration cultural differences of Asian New Zealanders. A Human Rights Commission report on structural discrimination in New Zealand found that Asian New Zealanders are at greater risk of developing chronic disease, as the percentage of adult Asians who have a regular health

Proportion of population aged 15 years and over with a high probability of anxiety or depressive disorder

By ethnic group
2006–07⁽¹⁾



Source: Ministry of Health

health provider are significantly lower than the rest of the population. Asian New Zealanders may also be more susceptible to mental health issues such as alcohol abuse and problem gambling, relative to the general population.¹³ Reported experiences of racial discrimination (such as unfair treatment by a health professional) were highest amongst Asians than any other ethnic group, and this along with the lack of culturally specific health provision is thought to have an effect on negative health outcomes.¹⁴

These kinds of problems could indeed be addressed by a non-Asian voice in parliament, or by the hard working but ultimately low ranking Asian representatives currently in parliament. It is also certainly true that the culpability for lack of political engagement by the Asian community cuts both ways. But it is still troubling that more hasn't been done by political parties, community organisations, or the government (i.e. the Electoral Commission) to get out the Asian vote and ensure that a large and rapidly growing demographic have the resources necessary to participate in the political process in this country. The Electoral Commission has in the past run workshops in Chinese and other Asian languages educating Asian New Zealanders about the New Zealand electoral process. Measures like these are

certainly on the right track, and it would be great to see more of the same.

The judiciary is a slightly different matter due to the unique requirements of the position (i.e. you must have a law degree and experience in professional practice, whereas in theory anyone can put their hand up to be an MP). According to a report from the District Court, "the ambition of the Court is for a Bench which reflects our current society, as merit allows"¹⁵. However "merit" is narrowly defined in scope, looking at academic aptitude and professional experience.¹⁶ Perhaps there is room for inclusion of other important traits in that definition, such as the ability to empathise with people from a broad variety of backgrounds, and explaining the law to the lay person of different backgrounds (or speaking another

language) in an easy to understand manner. However, when looking at the degree of confidence Asian New Zealanders appear to have in the New Zealand legal system, this doesn't appear to be as pressing an issue.

Given that immigrants must satisfy certain standards of good health and socio economic status in order to be allowed residency, it's not surprising that Asian New Zealanders are facing relatively few social and economic problems. However, it's important not to get a false sense of security and neglect the demographic altogether. In fact, studies have shown an alarming trend of negative health for Asians born in New Zealand, compared to their immigrant parents.¹⁷ This 'immigrant effect' of good health is not guaranteed to go on forever. Second and third generation descendants of Asian immigrants are slipping in a number of health statistics due to (either real or perceived) institutional racism and political neglect, and these are the kinds of issues which need to be addressed by effective representation. ■

This article by Jason Kim first appeared on EJP's Cross-Examination blog on July 22nd 2014. Find more content from Cross-Examination on EJP's Website.

PRO BONO

Pro Bono's Investigation into Civics Education Programmes in Australia and Germany

Australia

Civic Education in Australia

Australia experienced the “demise of civic education” until the Federal Government established the Civics Expert Group in 1994 which produced their inaugural report in the same year.¹⁸ Ever since this change, civic education has held a prominent position in Australian education and policy making.¹⁹

Australia has a multitude of initiatives in relation to civic education, including: civic education in the school curriculum, national assessment programs on civics and citizenship, and a variety of national events.

The Australian Curriculum

The Australian Curriculum aims to “support students to relate well to others and foster an understanding of Australian society, citizenship and national values”.²⁰ In particular, civic education is present in the school curricula for students in years 3, 5, 7 and 9.²¹ The material taught at each level is explored in the “Statements of Learning and Professional Elaborations for Civics and Citizenship”. The curriculum is grouped into several aspects, namely ‘Government and law’, ‘Citizenship in a democracy’ and historical perspectives on civics.²² These aspects are adopted in all of Australia’s states and territories.²³

Civics and Citizenship Education (“CCE”), an institution run by Education Services Australia that provides learning resources to be used by teachers. The resources are tailored to each level of the school system from “lower primary” to “upper secondary”.²⁴

National Assessment Programs (NAP) on Civics and Citizenship

Year 6 and Year 10 students are assessed every three years on the subject of civics, with the assessment program designed to assess “students’ competencies in the area of civics and citizenship”²⁵. A representative sample of students from both state and private schools is used. Roughly 13,000 Australian students take part in the programme.²⁶

The Australian Curriculum Assessment and Reporting Authority (“ACARA”) defines “civics” as follows:²⁷

[...] The study of Australia’s system of government, historical and current governance practices, Australian identity and culture, democratic processes, the judicial system and the impact of local, state, national, regional and global influences. Citizenship relates to being part of a group that carries with it a sense of belonging or identity and includes rights and responsibilities, duties and privileges.

Among other ideas, the assessment includes questions relating to the history of government, Australian identity and culture, and the rights and responsibilities of Australians.²⁸ Students are also tasked with completing a survey about their involvement in school activities and in the community, which often takes the form of charity fundraising, involvement in representative councils, or volunteering.²⁹ The full content of the NAP (with sample questions) is included in their “assessment framework”³⁰.

Students are given proficiency scores and then grouped into 6 tiers ranging from “Below 1” to “5”; each tier represents a student’s ability and the difficulty of the material understood.

Australia uses a cohesive approach aimed at assessing Australian primary and secondary school students’ understanding of pertinent civics issues. After each NAP, a report is produced outlining the results.³¹

National Events

There are numerous national events based on the subject of civic education.³² These aim to foster a continued understanding of civics and citizenship, provide a practical outlet for students to put their skills into practice, and help teachers develop improved teaching practices.



Chamber of the Bundestag; the legislative branch of the federal government of the Federal Republic of Germany.

National Schools Constitutional Convention (NSCC)

This program aims to increase young Australians' knowledge about the Australian Constitution and the role it plays in Australian democracy.³³ Each year the forum is centred on a particular constitutional issue and has been held annually since 1995.³⁴ As two examples, the 2011 NSCC discussed Australia becoming a republic and the 2010 convention concerned the issue of Australian federalism.³⁵

Civics and Citizenship Education National Forum

This event was last held in 2008 and featured keynote speakers including Professor George Williams from the University of New South Wales, the editor of The Canberra Times, and the director of the National Museum of Australia's Centre for Historical Research.³⁶ The forum's purpose was to raise awareness of civics and citizenship education and to promote good teaching practices in Australian schools.³⁷ It included

practical workshops, exemplars of best practice and the introduction of suitable education resources.³⁸ The forum also produced a report on the event.³⁹

Celebrating Democracy Week

This event, funded by the Australian Government, encouraged schools all over Australia to celebrate Australia's democracy through a range of activities.⁴⁰ The crowning event of the week is the "Every Voice Counts!" forum attended by a number of students from around the nation. This event is centred around a particular issue each year.⁴¹

Germany

German Federal Agency for Civic Education

The German Federal Agency for Civic Education (*Bundeszentrale für politische Bildung*) is a federal public authority subordinate to the Federal Ministry of the Interior (*Bundesministerium des Inneren*).⁴² The task of the Agency is to promote citizens' understanding of political issues, strengthen democratic awareness and increase willingness to participate in political processes.⁴³ A committee of 22 members of the Bundestag (State legislative body) is responsible for monitoring the effectiveness and political neutrality of the agency.⁴⁴

The Agency provides citizenship education and



Chamber of the House of Representatives; lower house of the Parliament of Australia.

information concerning political issues to people in Germany. “Citizenship education”, in this context, means educating and encouraging citizens to actively participate in society and the democratic process.⁴⁵ A key agency activity is providing information about major political issues – including European integration, participation in politics, participation in society, economic issues, migration, social change, historical issues and democracy generally.⁴⁶

Moreover, the agency has an ongoing role in creating new projects and developing new methods to meet the special informational and educational requirements of people with different learning abilities, age groups and socio-economic backgrounds.⁴⁷

Regional Agencies for Civic Education

Each of the Federal States of Germany (with the exception of Lower Saxony) has its own (regional) state agency for Civic Education (Landeszentralen für politische Bildung). They are tasked with designing and implementing local projects.

Civic Education for School Students

“Civic Education” is generally incorporated, in an ad hoc manner, into various subject areas, depending on the Federal State. In some states, subjects that encompass Civic Education are compulsory. The constitution of Baden-Württemberg, for example, states that “Political Social Studies” is a compulsory subject.⁴⁸

In 2003, the Federal Minister of Education and Science (Bundesministerin fuer Bildung und Wissenschaft) requested that a group of educational professionals, GPJE (Gesellschaft für Politikdidaktik und politische Jugend- und Erwachsenenbildung), create a series of “Educational Standards” (Bildungsstandards) for Civic Education in schools.⁴⁹ These standards set out the goals of Civic Education in three key areas of competency:

“Ability to make political judgements”⁵⁰ (politische Urteilsfähigkeit). The aim is for students to make reflective judgements after an analysis of political events, issues and controversies, as well as controversial issues of economic and social development.⁵¹

“Ability to take political actions”(politische Handlungsfähigkeit).⁵² The goal is to facilitate adequately formulated opinions, beliefs and interests as well as developing abilities to negotiate and compromise.⁵³

“Methodical abilities”⁵⁴(methodische Fähigkeiten). The aim is for students to be able to autonomously understand and analyse policy, economic and legal issues. Moreover, the goal is for students to work through different subject areas with different conceptual methods to further political learning.”⁵⁵

Each of these broad areas encompasses specific descriptions of competencies which school students should acquire through the curriculum of Civic Education. These specific competencies are distinct for each year level. The overall aim of these is to strengthen the “political responsibility” (*politische Mündigkeit*) of the students.⁵⁶

While these standards have been widely endorsed, they do not enjoy the status of compulsory educational regulations of the Ministry of Education (such as those in the subjects of German, Mathematics and English). Rather, they are recommendations.⁵⁷

The recommendations suggest that that “Civic Education” be introduced as a single and uniform subject in the national school curriculum, rather than being encompassed in an ad hoc manner in subjects of various names. They suggest that in primary schools, “Civic Education” be included in the subject of “*Sachunterricht*”, the equivalent of “Topic” in New Zealand schools. From years 5 onwards, “Civic Education” should be a stand-alone subject.⁵⁸

The recommendations’ emphasis is more on principles and methods, rather than on specific content.⁵⁹ They do, however, specify that Civic Education encompasses the following areas:

- the functioning of the political system, including the electoral system;
- the functioning of national economic systems;
- questions and problems of social cohesion, such as multiculturalism and tolerance;
- legal questions and problems, particularly the relationship between politics and law.⁶⁰

Schools combine these broad directional principles with the specific content provided by the Regional Agencies for Civic Education.⁶¹ ■

EJP’s 2014 Pro Bono Managers, who led the production of this report, were Adam Holden and Sally Wu.

OUTREACH

Cannabis and Synthetic Cannabinoids: Current Law and Data on Legislation

What are cannabinoids?

Cannabinoids are a group of substances that bind to cannabinoid receptors. Cannabinoids specifically interact with these membrane-bound receptors in order to produce their physiological and behavioural effects. There are three general types of cannabinoids: endocannabinoids (produced naturally in the bodies of humans and other animals), phytocannabinoids (found in the cannabis plant) and synthetic cannabinoids (manufactured chemically).⁶²

The most notable and researched cannabinoid is delta-9-tetrahydrocannabinol (“THC”), a phytocannabinoid that acts as the primary psychoactive compound in cannabis.

Addictiveness and reported reactions

The topic of whether cannabis can be considered “addictive”, and in what way, has been debated for decades. When describing “addiction”, some still tend to use an older perspective, which is now seen as outdated by experts. This point of view proposes that some drugs may be considered physically addictive — producing severe withdrawal — while others are psychologically addictive and only cause craving. The paradigm for physical addiction is heroin, which causes acute withdrawal sickness. Because marijuana cessation is not linked with such severe, physically uncontrollable symptoms, many traditionalists do not regard marijuana as physically addictive.⁶³

The New Zealand Drug Foundation, on the other hand, considers that cannabis can be both physically and psychologically addictive.⁶⁴ The Diagnostic and Statistical Manual of Mental Disorders⁶⁵ (psychiatry’s handbook of all mental conditions) does not use the word “addiction” as a diagnostic term because of its uncertain definition and its potentially negative connotation. Instead, the more neutral term substance use disorder is used to describe the wide range of the disorder, from a mild form to a severe state of chronically relapsing, compulsive drug taking.⁶⁶ The essential feature of a substance use disorder is a

cluster of cognitive, behavioural, and physiological symptoms indicating that the individual continues using the substance despite significant substance-related problems.⁶⁷ The diagnostic criteria for cannabis use disorder include: the persistent use of cannabis, in light of various negative consequences resulting from its use; tolerance; and withdrawal.

New to the most recent (5th) edition of the Manual is the recognition that abrupt cessation of daily or near-daily cannabis use often results in the onset of a cannabis withdrawal syndrome. Common symptoms of withdrawal include irritability, anger or aggression, anxiety, depressed mood, restlessness, sleep difficulty, and decreased appetite or weight loss. Although typically not as severe as alcohol or opiate withdrawal, the cannabis withdrawal syndrome can cause significant distress and contribute to difficulty quitting or relapse among those trying to abstain. Among individuals who have used cannabis regularly during some period of their lifetime, up to one-third report having experienced cannabis withdrawal.

However, the long half-life and other pharmacokinetic properties of THC result in a delayed expression of withdrawal symptoms. Due to the lack of contiguity between drug cessation and withdrawal responses, there is room to debate the degree of causation and correlation.⁶⁸ Further, there are, as always, issues with reporting. Some individuals who use cannabis multiple times per day do not perceive themselves as (and thus do not report) spending an excessive amount of time under the influence or recovering from the effects of cannabis, despite being intoxicated on cannabis or coming down from its effects for the majority of most days.⁶⁹

How does marijuana compare to “classically addictive” drugs? Estimates vary, but compared with tobacco, which hooks about 20% to 30% of smokers, marijuana is much less addictive, coming in at 9% to 10%. In contrast, 23% to 25% of heroin users get addicted, along with 15% of alcohol users and 15% to 20% of those who use cocaine.⁷⁰

Mental illness

There is growing evidence reliably linking cannabis with mental health problems. However, the direction of the causation remains unclear; does cannabis actually cause mental illness, or are people with mental illness simply pre-disposed towards cannabis use? Individuals who are susceptible to mental illness put themselves at greater risk of psychotic symptoms when using cannabis. Young people using cannabis regularly have rates of psychotic symptoms that are between 1.5 to 2.5 higher than those not using cannabis.⁷¹ Further, cannabis appears to make psychotic symptoms worse for people with schizophrenia.⁷² Cannabis use, particularly heavy and frequent use, has been linked to a condition called 'cannabis psychosis'. Episodes of cannabis psychosis are characterised by delusions, confusion, memory loss and hallucinations and could last several days.⁷³

In addition to findings linking cannabis use to increased risks of psychosis or psychotic disorders, there is growing evidence to suggest increased rates of depression, anxiety and suicidal thoughts amongst heavy cannabis users.⁷⁴



'Spice'; the best known brand of synthetic cannabis. When Spice was scheduled as Class C in April 2009, it began a pattern of manufacturers synthesising new products in order to stay ahead of ever-tightening regulations.

Synthetic cannabinoids – physical effects

Synthetic cannabinoids are structurally different from THC but are designed to mimic its effects. "Spice", "Kronic", "Puff", "Aroma", and "Magic Dragon" are among the many synthetic cannabinoids that have been sold in the marketplace. They fall into seven major structural groups, however, there are hundreds of different synthetic cannabinoid compounds and more are constantly being produced to keep in step with legal controls.⁷⁵ Because new ones are always being developed, very little is known about their health

effects. It has been reported that the toxic and adverse effects of certain synthetic cannabinoids can be significant, including heart palpitations, rapid breathing and heart rate, nausea, vomiting, hallucinations, seizures, and psychotic episodes.⁷⁶

Similarly, there is limited research evidence about dependence and addiction on synthetic cannabinoids. Studies of certain synthetic cannabinoids have found evidence of tolerance and withdrawal symptoms.⁷⁷

Cannabis: Current Law

In New Zealand, natural forms of the drug cannabis are illegal. Synthetic cannabis is legal but regulated under the Psychoactive Substances Act 2013. The law concerning natural cannabis is found primarily in the Misuse of Drugs Act 1975. Cannabis is mostly defined in this Act as a Class C drug, for cannabis plant and seed, although cannabis preparations such as resin and oil are categorised as Class B.⁷⁸ The Act provides penalties of up to three months imprisonment or a fine of up to \$500 for cannabis possession.⁷⁹

The supply and cultivation of cannabis both derive significantly harsher penalties than this, with cultivation receiving up to seven years imprisonment and supply receiving up to eight years for the Class C forms of the drug, and up to fourteen years for Class B forms.⁸⁰ There are no exceptions for medical use. Section 6(6) of the Misuse of Drugs Act 1975 presumes that possession of the drug is for the purpose of supply if it meets the amount stipulated in schedule 5 of the Act. Therefore, the Crown need not prove intent to supply in order to apply the harsher penalty. The Supreme Court has discussed this in the case of *R v Hansen*.⁸¹ In that case, it was argued that this presumption contravenes the presumption of innocence in s 25(c) of the New Zealand Bill of Rights 1990. The majority agreed that the provision was an unjustifiable limitation on the right to be presumed innocent.⁸² However, s 6(6) was sufficiently clear that the Court decided it could not restrict its application.⁸³

Does the law disadvantage any particular group?

Other than the legal discrepancy between possession and supply, the New Zealand laws on cannabis in and of themselves do not explicitly disadvantage any particular group. However, the implementation of these laws at an administrative and procedural level has had the effect of disadvantaging certain groups.

Firstly, the law disadvantages those who are convicted or arrested on charges of possession, often based on this supply-possession distinction. Many

cannabis users are already socially disadvantaged, and criminal penalties for possession of cannabis often entail additional costs including disruption of relationships, and loss of housing, and employment.⁸⁴ This can have a particularly severe impact on some young offenders, because despite the fact that cannabis possession remains a minor criminal offence, a conviction can have long-term impacts, for example, on employment prospects.

Maori have also been negatively impacted by New Zealand's cannabis laws. The Drug Use in New Zealand Survey from 2007-2008 found that Maori men and women were 50% more likely to use cannabis, making them more obvious targets in terms of the enforcement of cannabis laws. Research has shown Maori are more likely to be arrested and convicted for cannabis offences compared to other demographics in New Zealand. A study by Professor David Ferguson suggest this negative impact is due to the presence of discriminatory processes within enforcement institutions.⁸⁵ As Maori come into more frequent contact with police and law enforcement institutions from an early age, they are more likely to be targeted for cannabis offences and as such are overrepresented in criminal statistics.

A recent survey on drug use in New Zealand found that 71.2% of New Zealanders had used cannabis at least once in their lives, and 35.3% had used it in the last year. More respondents had used cannabis than tobacco (68.8% lifetime use and 33.5% in the last year).⁸⁶ Use on this scale suggests both that the drug is socially acceptable, and that groups subject to increased exposure to police and government agencies are likely to be overrepresented in cannabis

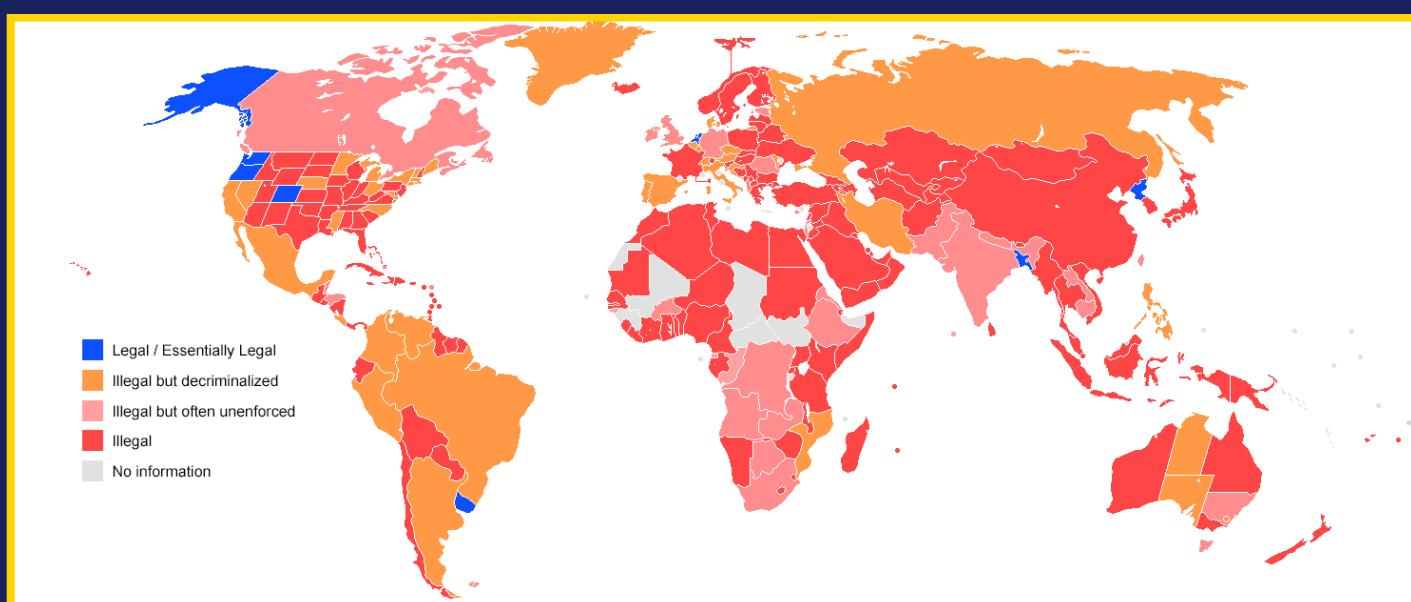
possession statistics. If so, that is likely to have a discriminatory effect.

Cannabis crime statistics

Recorded offences for illicit drugs in 2012 conducted by Statistics New Zealand shows the number of recorded offences for selling, giving, supplying and dealing in cannabis rising by almost half from the year 2011 to 2012.⁸⁷ This is a concerning trend for New Zealand, and points to the possible over-criminalisation and prosecution of cannabis possession, especially considering that possession is a minor charge and one which more than half the population admit to having engaged in in their lifetime.

Observations from overseas: decriminalisation of cannabis

In the last half century, a number of countries have decriminalised or legalised cannabis. Countries where the cannabis possession is legal include Netherlands, North Korea and most recently Uruguay and the US state of Colorado which has legalised the sale of recreational cannabis.⁸⁸ Other parts of the US such as Nevada, New Mexico, California and Oregon have decriminalised the possession of marijuana for medical reasons and instead allowed for protection of its users.⁸⁹ Medical qualification, however, differs in each state, with New Mexico only permitting its use for serious illness such as cancer, epilepsy, multiple sclerosis and spinal damage, while in California medical marijuana is justified in cases of a severe migraine or 'any other illness which it provides relief for'.⁹⁰ Other countries have gone even further, with Portugal decriminalising all drugs and replacing



Legality of cannabis and cannabis derived products in jurisdictions across the globe.

criminal law enforcement with a medical harm-reduction approach.⁹¹ However, full legalisation is recent and rare enough that statistics on its effects are of limited availability.

Cannabis legalisation and adolescents

Data on the effect of legalisation on adolescents is limited, as is data on the effect of cannabis on young people's brains, since traditional studies would be unethical. However, it is hypothesised that adolescents may be more susceptible to negative side-effects of cannabis since their brains are still developing. Since the law change in Colorado in 2010 making it legal to possess cannabis for medical purposes Dr. Christian Thurstone, Colorado Child and Adolescent Psychiatric Society, exclaims that his clinic has been "inundated with young people reporting for marijuana-addiction treatment...Every day, we see the acute effects of the policy of legalisation. And our kids are paying a great price."⁹² Drug-related expulsions in schools have increased 45 percent between 2008 and 2012 subsequent to the Colorado law reform of 2007 decriminalising cannabis. The official report of the Colorado Department of Education has recorded that the most drug-related suspensions since the 2008-2009 year are related to cannabis.⁹³

Cannabis legalisation and drug-related driving offences

It has been reported in Colorado that marijuana-impaired drivers and fatalities are on the rise. Between 2006 to 2011, the traffic fatalities in Colorado decreased by 16 percent but during this time traffic fatalities with drivers testing positive for marijuana spiked 114 percent.⁹⁴ However, it should be noted that cannabis was not legalised for medical use until most of the way through this period, and not legalised fully until after this period.

A study which observed the relationship between the legalisation of medical cannabis in 19 states and driving fatalities found that legalisation was associated with an 8-11% decrease in traffic fatalities. It also found that legalisation in those states reduced alcohol consumption, suggesting that alcohol may be used as a substitute for cannabis.⁹⁵ A possible reason for the decrease in fatalities is that drivers under the influence of marijuana tend to drive slower and taking fewer risks while drivers under the influence of alcohol tend to drive faster and take more risks.⁹⁶

Cannabis legalisation and drug-related hospital admissions

A clear association is present between cannabis legalisation and drug episode related emergency room (ER) admissions. During the 1970's medicinal marijuana use was legalised in the state of Oregon in the US. Subsequently the number of hospital admissions related to marijuana use decreased, suggesting that marijuana induced medical problems was reduced coincident with medicinal marijuana law reform.⁹⁷ A more recent study in the 1990's reported that legalisation of marijuana lead to an increase in ER marijuana episodes but a reduction in admission related to other drugs.⁹⁸ The researcher suggests that this may be due to individuals substituting other drugs with cannabis because of its reduced criminal penalties.⁹⁹

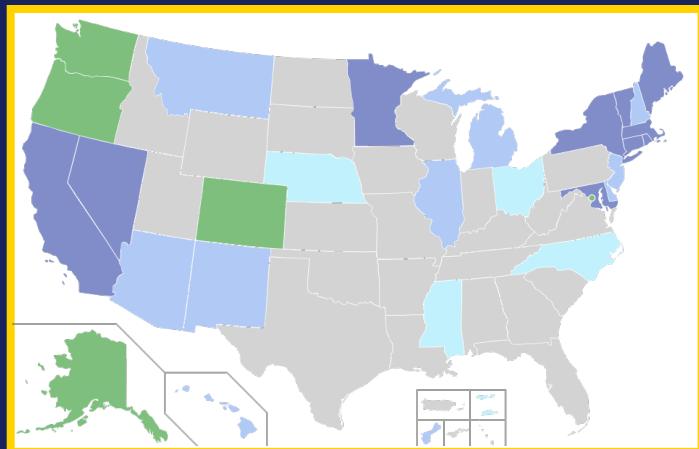
Cannabis legalisation and crime rates

Several studies have examined the relationship between marijuana use and criminal behaviour. It has been shown that marijuana dependence is related to a 280% increase in chances of violence in a sample of New Zealand adolescents, an association stronger than effects of alcohol and manic disorders.¹⁰⁰ Research has also indicated that cannabis use during adolescence may influence violent behaviour in young adulthood.¹⁰¹ It is evident that cannabis use is correlated with an increase in violence. However, it could be argued that this relationship is due to its illegality and thereby would not be present in an environment in which cannabis use is legalised.¹⁰² That is, the effect is correlative, not causative.

Empirical research on the relationship between legalised cannabis laws (i.e., medicinal marijuana) and crime is limited and the significance of cannabis use on crime is unknown. Studies have shown that US states that permit the use of medical marijuana have higher rates of cannabis use and an increase in illicit drug use, yet other studies report no relationship between the two.¹⁰³

A recent study analysed multiple offences across several US states to explore whether medical marijuana law has an impact on crime rates. Their findings reported no positive association between medical marijuana law and any other crime type, and suggest that medical marijuana law is not responsible for higher crime rates and may in fact be related to a decrease in rates of assault and homicide.¹⁰⁴ The authors note that this may be related to a reduction in

alcohol use as a result of individuals substituting alcohol with cannabis. They also hypothesise that medical marijuana law policies reflect behaviours that have been established in the community, and therefore are unlikely to cause major changes in people's behaviour. Higher crime rates are therefore not expected in medical marijuana law states.¹⁰⁵ The study findings need to be interpreted cautiously due to the presence of multiple interacting variables that could possibly the effects of medical marijuana law on crime, but initial reports from Colorado suggest there has been little change in the crime rate since legalisation, supporting its conclusions.¹⁰⁶



State cannabis laws in the United States in August 2013. Light baby blue indicates legal medicinal, cyan decriminalisation of possession, purple medicinal and decriminalised possession, dark green legalisation, and grey total prohibition.

Effects of drug policy on the rate of cannabis use

There is a shift towards the liberalisation of cannabis laws in western democracies. Netherlands adopted de facto decriminalisation of cannabis in 1976. During the 90's Belgium, Spain, Italy, Switzerland and Germany shifted their drug policies in Netherland's direction. Contrariwise, the United States has stiffened its criminal drug penalties during that time and cannabis related arrests have increased.¹⁰⁷ Both approaches, although moving in opposite directions, are designed to deter the use of cannabis. Criminalisation is often explained as discouraging use, reducing availability and encouraging users to quit. However, although this is superficially logical, in a comparative study that evaluated users behaviour in Amsterdam and San Francisco, no evidence was found that decriminalisation increases use or that criminalisation decreases use.¹⁰⁸ Furthermore, criminalisation in San Francisco did not appear to be associated with lower use of other illicit drugs compared to Amsterdam.¹⁰⁹ This data suggests that experienced users regulate

their use according to an identifiable subcultural etiquette (i.e., when, with whom, where, and how to use), more than according to law. Therefore, formal drug policies may be more effective if they are based on informal drug policies that users actually practice.

Current law on synthetic cannabinoids

The stated purpose of the Psychoactive Substances Act 2013 is to "protect the health of, and minimise harm to, individuals who use psychoactive substances"¹¹⁰ by regulating the availability of these substances. Regulation is achieved through precautionarily prohibiting all psychoactive substances, except tobacco, alcohol, and medicines; with manufacturers having to bear the cost of clinical trials to establish that their product poses no more than a "low risk of harm" to users.¹¹¹ Should they do so, the Psychoactive Substances Regulatory Authority (PSRA) constituted under the Act is required by Section 37 to approve that product for sale.¹¹² Until the regulations giving full force to the Act are implemented later this year, forty-two existing products have been granted interim approval, contingent on no evidence emerging that they pose more than that "low risk of harm".¹¹³

Parliament overwhelmingly supported the legislation; the Act passing 119-1. Associate Health Minister Peter Dunne has stated that this majority means legal highs "are here to stay"¹¹⁴. Certainly, except for the Conservative Party, no party has stated any intention to reinvigorate the debate on prohibition. It now seems likely, therefore, that any change in policy on synthetics will alter regulation rather than prohibit them.

Public response to synthetic cannabis

In response to cases of serious harm apparently resulting from use of 'legal highs', protests were staged against the drugs in twenty-two centres across the country on April 5th. The Napier, Hastings, and Hamilton territorial authorities have all moved to restrict the sale of these products. Bans already exist in most Western jurisdictions.¹¹⁵ New Zealand, for two years from August 13th 2011, also had such a ban.

Medical effects of synthetic cannabis

A growing body of medical research confirms reports that synthetic cannabis may cause users, often addicted, to become agitated, paranoid, suicidal, and psychotic and the Ministry of Health has acknowledged that these synthetics produce more

“adverse events” than ‘natural’ cannabis.¹¹⁶ The PSRA’s October 2013 report *Safety Assessment of Psychoactive Products* notes that many reported adverse reactions to synthetics relate to users who have substituted chronic ‘natural’ cannabis use for the chronic use of synthetics.¹¹⁷ Whilst the report notes that severe adverse events do also result from acute use, this indicates that the major harm associated with synthetics relates to chronic usage.

Medical literature identifies an inverse correlation between social deprivation and the problematic use of drugs.¹¹⁸ Whilst drug use is seen in all socio-economic contexts, the most deprived members of society are the most likely to develop addictions. Furthermore, the most deprived individuals are the most the least likely and able in society to seek support for drug use; rendering them the least able to effectively combat drug problems.¹¹⁹ Harms associated with drugs thus fall inequitably greatly on the socially marginalised.

These studies were undertaken in regards to illicit drugs. However, the identified normative effect of the law in discouraging illicit drug use means that ‘legal’ highs are more likely to be used in all communities than ‘illegal ones’ - including socially marginalised groups. Certainly, as legalisation reduces the price of drugs, it seems likely that these licit substances will be even more likely to be used in poorer groups. Indeed, following the Assessment’s statement that chronic natural cannabis users are the most likely to undertake chronic synthetic use, since marginalised groups demonstrate the greatest incidence of chronic cannabis use, it seems highly likely that socially marginalised groups will experience the greatest incidence of chronic, and thus problematic, synthetic cannabis use.¹²⁰

Harm assessment

The harm assessment methodology adopted in the Safety Assessment of Psychoactive Products is predicated on the assumption that these products are intended for acute and intermittent use.¹²¹ Even though it does note the particular harms associated with chronic use, and accounts for them in adducing whether a product poses only a “low risk of harm”, PSRA appears to regard chronic use of psychoactive substances as something other than their intended use. The manufacturers of these synthetics may indeed intend their acute and intermittent use – this

has proved difficult to verify due to the manufacturers’ low public profile. However, it appears that the the most harmful use of these products is chronic. Furthermore, anecdotal and clinical evidence is emerging that the synthetics are more potent and addictive than the natural cannabinoids PSRA sees them as displacing.¹²⁴ PSRA’s proposed standard, on the wording of the report, does not account for this.

This could be addressed by PSRA’s standard for assessing whether synthetics pose only a “low risk of harm” being modified to recognise that synthetics are, at least practically, substances widely seen as being for chronic use amongst the most marginalised, and thus most vulnerable, members of our community – the individuals PSRA itself has noted are the most likely to take up the use of synthetics in noting the displacement of natural cannabis by synthetic products. ■



*The Hon Peter Dunne
MP, Associate Minister
of Health. Minister
responsible for the
Psychoactive
Substances Act 2013,
and the 2014
Amending Act, which
regulate synthetic
cannabinoids.*

By Diana Ivanov, Dylan Jackson, Taraneh Monagneh, Lucy Smith, and Lucy Smith

Editorial Note: In a radical reversal of government policy, which occurred after the publication of this paper, the statutory scheme regulating synthetic cannabinoids was radically altered by the Psychoactive Substances Amendment Act 2014. The Act mandated the withdrawal of all ‘legal highs’ from sale in New Zealand from May 15th 2014, and effectively precluded any product gaining approval in future, thereby effectively making ‘legal’ highs ‘illegal’. ‘Cross-Examination’ carried a critique of this amendment (available to view on EJP’s Website).

COMMUNITY

Community Team volunteers reflect on their experiences.

Elijah Pear

During the course of their studies, most law students will ask themselves what area of law they would like to specialise in the future. Some may have a natural flair in specific fields; others may have everything planned out. However, a handful of students like myself may have yet to decide.

For many, volunteering is a way of adding those extra few lines to the CV. While undeniably I had the same train of thought in my head, I needed to discover how the law functions in real life. So, with an open mind I kept an eye out and the opportunity to become involved in the Equal Justice Project opened up. I was fortunate enough to work alongside the lawyers at Auckland Community Law Centre as part of the Community outreach group.

You cannot fully appreciate the importance of Community Law Centres until you observe the work that is done there first-hand. The past few months have left me reflecting on how much dedication has been put into operating these Community Centres.

As volunteers at the Auckland Community Law Centre, we were assigned to various tasks ranging from basic paperwork to inspiring projects. We drafted letters that later became published on the Auckland Community Law Centre's website. We also participated in projects dealing with familiar subjects ranging from trusts to commercial law. Projects also involved procedural matters, such as the making of a self-litigation guide and research for assignments that were even covered by news media such as Campbell Live. Yet, it was the client interviewing that intrigued me the most. It exposed me to how the law actually affects us as a community of individuals.

This is where we experienced the most practical part of volunteering in the Auckland Community Law Centre. At the outset, the task seemed all but daunting. Being aware that these clients needed our

help and relied on the very words and information we offered did not make things easy. Lectures and assessments had not prepared us for this and, unlike the opinions that most law students would be familiar with, this was unpredictable and held serious consequences for clients. Proficiency in the subjects taught at law school were merely just a portion of what we had to consider.

The tasks assigned to us expanded upon and went beyond what we had learned in law school, as often they concerned matters that stretched across procedural elements. We had to think on our feet, avoid legal jargon and turn the complex issues we have learnt to understand into simple and straightforward solutions. What we learn through volunteering at the Community Law Centre can often be applied in our studies. The areas that are canvassed can range from family, consumer and even to company law. Though most of the more substantive tasks are assigned to the Centre's legal team, knowing that we are part of this operation that involves helping real people makes it all the more worthwhile.

There are two types of education. One that is taught by our universities, and the other we learn by experience. This involvement with a Community Law Centre has provided me with a chance to reflect on future career endeavours after university. It offers valuable insights into what the profession is about, which is often misconstrued as solely within a corporate framework. The staff at the Auckland Community Law Centre come from all walks of lives, and they have provided invaluable advice that will resonate throughout our future career path.



**AUCKLAND COMMUNITY
Law Centre**
Providing access to Justice in your Community

Located in the hub of the city, Auckland Community Law Centre can be found on Anzac Avenue, just behind the University of Auckland Law School. This location offers the flexibility of planning volunteering hours alongside lecture schedules. After all, being a volunteer is not the huge time commitment that you might expect it to be. In many cases, it all just comes down to time management. Nonetheless if locality is an issue, the Equal Justice Project has connections with other Law Centres. I believe the experience will be equally rewarding across all locations. So leave your legal jargon and Latin phrases in the lecture theatres, go out and explore. Volunteering may not be what you expect but it will definitely offer insights into the legal landscape.

Cheyenne Whaanga

As a fourth year law student at the University of Auckland's Law School, I have had the privilege of volunteering through the Equal Justice Project (EJP) at the Otara Community Law Centre (operated by the Community Legal Services South Trust) where I developed a deeper appreciation and understanding of the community's needs.

Volunteering at the Otara Community Law Centre for the past few months has enabled me to encounter real problems and assist real clients in a short period of time. My time at the Law Centre has led to many invaluable experiences with actual legal work.

I have had the opportunity to learn more about legal processes and the different areas of the law through various tasks. These include legal research and writing, participating in the client interviews with the lawyers, writing legal presentations and generally helping the centre with whatever else needs to be done.

Some of the tasks I was involved with were assisting the lawyers with writing up reports for clients regarding their case. Additionally, I aided in providing legal advice for clients regarding their issues and composed PowerPoints for the Law Centre's weekly legal lunch box presentations to the community. These legal lunch box tasks included presenting on an area

of law (such as the law on immigration, guardianship or neighbourhood disputes), researching the relevant statutory provisions and legal tests that apply and then creating some hypothetical situations in order to assist the audience with applying the law to a real life situation.

I found that what I have learnt throughout my years at law school has greatly benefitted me in terms of volunteering at the Law Centre as it has provided me with a foundation for being able to complete these tasks satisfactorily.

My volunteer work has allowed me to be a more pro-active participant in the learning process. Volunteering within the community helps reduce isolation between the legal profession and the community by making law students more relevant to the community. Volunteering has exposed me to the more disadvantaged members of society, which has helped me increase my sensitivity to community issues and helped me expand my capacity to volunteer more effectively. Understanding community needs helps foster empathy and self-efficacy.

As an aspiring legal practitioner, I have benefitted immensely from observing the practitioners at the Law Centre engage with clients; learning from their great empathy and consideration. On a personal level, I developed great relationships with members of the staff team at the Otara Law Centre.

Additionally, I have also found through my experience that I have really enjoyed volunteering in the community. It has been an interesting and exciting experience and has made me feel like my efforts have helped the community. The experience gained from being immersed in a community setting adds greatly to my knowledge of the position of others in society and increases my sense of responsibility.

As I continue with my studies in the future, I will often be reminded of how important it is to interact with clients in the way that was conveyed by the staff at the Law Centre in their legal work. As I progress with my studies, I will carry my volunteer experience at the Law Centre with me, which will undoubtedly inform future social justice work. ■

COMMUNITY LEGAL SERVICES SOUTH TRUST

NGĀ MANUKURA O TE TURE – LEADERS IN LAW



The Equal Justice Project's Outreach team also worked in a number of Citizen's Advice Bureaus and with the Waitemata Community Law Centre in 2014.

LAW IN SCHOOLS

This year, the Schools Team has grown and expanded from purely a team of volunteers who goes into high schools to conduct workshops, to creating our own teaching resources. The team has received excellent feedback from school teachers and relevant staff members for continuing to supply high-quality workshops and having the right skills to engage students in an educational manner. We are very proud of to have expanded horizontally across Auckland in terms of the number of new relationships that the Schools team have built this year.

In 2013 and the beginning of this year, the schools team delivered presentations from six areas of law; tenancy, family, employment, police, sex and health and consumer. These presentations and resources are provided to us by the community law centres that the Equal Justice Project work with and alongside.

This year, we have recruited a small programme development team within our pool of 30 volunteers. The programme development crew is responsible for creating presentations that belong to the Equal Justice Project. We have successfully developed our very own slides on the six traditional areas that we have taught.

From term three onwards, we have also incorporated a brand new presentation on Government and Voting into the Equal Justice Project Schools Team Curriculum. We were also provided with new areas of law by Otara Community Law Centre, to which we have maintained a close relationship with, including privacy and human rights and the New Zealand Bill of Rights Act.

The presentations that we have developed for schools are tailored for students of all ages in school. It is both educational and engaging and both theoretical and practical. For example, the tenancy presentation includes the basic law on flatting out, rents, covenants and obligations. It also has contains an introductory game which urges students to get into groups to discuss elements of a tenancy agreement – thinking caps on! These games also assist students to relate to real life scenarios. For example, the consumer presentation contains a multi-choice quiz, which puts students in the shoes of a consumer who faces issues with shopping. On top of the slides, the programme development team has created teaching guides that go with each workshop. These will assist volunteers with how to conduct the specific presentation and information for each slide.

On the presenting to schools aspect, we have received fantastic and positive responses from our volunteers. Here's the experience of 2014 schools volunteer Daniel Joseph:

The prescribed form for voting in general elections in New Zealand using the Mixed-Member Proportional Representation System, which was first employed in the 1996 General Election. The form seen here is that contained in Form 11, Schedule 2 Electoral Act 1993.

"Volunteering as part of the Equal Justice Project Schools team this year has been an invaluable experience. It was hugely rewarding to put my legal studies into practical effect and to feel like I was making a positive contribution to the lives of the students. I conducted most of my workshops at Mangere College and we received encouraging responses from the students there. Our workshops focused on imparting real-world legal knowledge of use to year 12 and 13 students. I personally found it refreshing to move from textbooks and legal theory to the day to day legal issues that people routinely encounter; issues such as dealing with landlords, the right to a refund under the Consumer Guarantees Act, and what constitutes unfair dismissal in the workplace – the real problems that young people face and they are far removed from debates over parliamentary sovereignty or the fusion of common law and equity at law school. In sum, I feel that the EJP schools team provided a worthwhile service to school students, equipping them with the knowledge to deal with the legal challenges that they will confront everyday."

Our Schools Manager, Mina Rassam, was lucky enough to engage in the schools team as both a manager and a volunteer:

"The tenancy law workshop at Mangere was both interesting and enjoyable. The class was well engaged and was eager to learn about the practical aspects of this area of law. As schools volunteers, we made sure we kept the workshop interactive and tried to make it interesting. We received a fantastic response from the class; they happily asked questions and participated in group discussions. This was a great experience for me, and I encountered some difficulties of which I was able to overcome. I learnt how to keep the class quiet, which was particularly challenging as there were around 40 students. From a managerial perspective, only after doing the workshop I was made aware of some changes that were necessary to the slides."

The Schools team enjoys welcoming back EJP volunteers from previous years. We were lucky to have Aimee Mackey to volunteer for our team for two



years. Here is what Aimee has to say for being a volunteer:

"Over the last two years I have done a number of presentations at high schools through EJP Schools, and it has been a unique and valuable experience. The programme has allowed me to use my presentation skills and knowledge of the law to inform high school students of their legal rights. Although I was initially doubtful that the students would appreciate our talks, I was wrong. Each time, many students actively participated and showed real appreciation. On one occasion while doing a session on Police and the law, one boy asked us: 'why weren't we told of this earlier?' It made me realise that I was in a privileged position to help these students and it was very rewarding to be able to influence them in a positive way. Taking part in EJP Schools has inspired my interest in helping young people and has since lead me to begin training as a Youthline phone counsellor. It has given me a feel for how to reach out to young people and speak to them in an engaging way. The programme has also helped me gain self-confidence by giving me an opportunity to temporarily take control of a classroom and speak in front of a relatively large audience. I feel very lucky to have had this experience and I hope that I will be selected again to be part of the Schools team next year!"

It has been a fantastic and productive year for this team, and we are grateful for all the efforts contributed by our volunteers and to have been able to work with this bundle of dedicated volunteers. We look forward to carrying the vision of the Schools team in 2015. ■

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The views expressed in the contents of this publication do not necessarily reflect those of the Equal Justice Project. They should, except if otherwise stated, be understood as the personal opinions of the author(s). No information in this publication will be understood as official. The Equal Justice Project makes no representations as to the accuracy or completeness of any information in this publication or found by pursuing any references provided. The Equal Justice Project will not be liable for any errors or omissions in this information nor for the availability of this information.

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