

**A REP GUIDE TO SEX, HEALTH & THE LAW:
THE BARN BROS GET CURIOUS ABOUT SEX**



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community law

free legal help
throughout aotearoa

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SLIDE 1: BACKGROUND MATERIAL

Use this information to inform your teaching.

How to deliver a REP module

Kia ora! Thank you for being a REP volunteer. Your participation in The REP will help young Aotearoians become more aware of their legal rights and responsibilities. By connecting young people with local support services, you will also help build a stronger community for all of us. So... what do you need to need to know about delivering a module?

Know your Community Law Centre

- The most important thing about The REP is the connection you can build between members of your community and your local Community Law Centre.
- If a class takes only one thing out of a workshop, it should be that if they have a legal problem they can get help from a Community Law Centre.
- Use the REP modules as a way of talking about how Community Law Centres, other community-based services and lawyers can actually help. If anyone in your class asks for help or needs legal advice (which you are not allowed to give if you are not a lawyer), direct them to their local Community Law Centre.
- Consider going the extra step: go along with a student to the Community Law Centre so they don't feel alone or intimidated.

Know the audience

- The second most important thing about The REP is that our education is meant to be interactive and fun. Getting your audience to relax and have a laugh is as important, if not more important, than talking about the law.
- Treat this teaching resource as a guide only; try hard to deliver the material in a way that will suit your audience and that your audience will enjoy.
- REP modules are learner-led. There is no need to cover all the material in the time you have been given. See where the conversation goes, focus on what the class identifies as being important or relevant, and explore those ideas. Just to repeat: there is no need to get through all the material!
- Every group you work with will be different, with different levels of knowledge, different needs, and different expectations. Let the group both guide and teach you; work together to build a picture of how the law actually works in New Zealand.
- In general, everybody likes to know why they are here, whether it's relevant, and how long it will take. Make sure you signpost what the module is going to cover, by explaining or perhaps writing up a short plan on the board.
- Try and get to the heart of the matter: talk about the real world, and the greater social implications of the law. You will get much more out of it, and so will your class.

Know some different teaching styles

- Everybody learns differently. Very few people enjoy being lectured to!
- Some people like to visualise what they're learning (by seeing it written down, making a list, studying a face).
- Some people need to hear things to take them in (maybe by taking part in a role play or a discussion, or by using rhythm or sound as memory aids).
- Other people prefer to move around: they learn best if they're up on their feet and active.
- And others learn with their hands. They like to get creative, draw things, cut things out, make projects or demonstrations.
- The games in this module attempt to cater for every different kind of learner. Work hard at improving your own teaching practice so that everybody can get involved in the class.

Know the games

- These modules are structured so that all the important information can be covered using the games only.
- The games aim to get your class thinking about the issues being discussed and engaging with them in a practical way.
- Know and understand the way the games are run, so you can lead them smoothly and effectively.
- If you can think of more diverse, more engaging and more fun games and exercises, please do. Just make sure you feed these new improved games back to us at The REP.

Know the law

- You need to be up-to-date with the area of law this module covers.
- The background material in this guide is to help you learn the law. The Community Law Manual is also a fantastic guide to all the areas of "community" law. Check out a hard copy at your Community Law Centre or look up the online version: www.communitylaw.org.nz.
- It's always helpful to have some examples up your sleeve of how the law works in practice: if in doubt, talk to your friends, family, teachers, or the lawyers and other kaimahi at your Community Law Centre.

Evaluations

- Getting feedback is essential to improving the REP modules. Please ensure you leave enough time at the end of the class to hand out and collect the evaluation forms.
- And don't forget to fill in your tutor evaluation form!

Last, but not least...

... Smile! Enjoy yourself, have a laugh, and thanks again for volunteering your time.

WHAT YOU WILL NEED:

- Projector and laptop
- Slides (Ctrl+L for fullscreen)
- Chocolate

Printing:

- Teaching guide
- Evaluations x 1 per student
- Tutor self-evaluation x 1
- Game #1 (pg 9) A4 x 1 per group
- Game #2 (pg 14) A4 x 1 per student

SLIDE 2: INTRODUCING THE BARN BROS



GREETINGS

- "Kia ora, talofa lava, ni hao, hello" (introduce yourself, your name, a bit about yourself).
- "This session is brought to you by the Community Law Centre and The REP: the Rights Education Project".
- Introduce the Community Law Centre: Make sure everyone knows how to get to there – perhaps by drawing a map on the whiteboard.
- Introduce the REP.
- This module begins with an "icebreaker" to make it easier for participants to feel comfortable contributing to the workshop and for you to learn your students' names: don't forget them!

THE BARNYARD BROS

- The REP is based on some characters called The Barnyard Bros.
- Use either a hard copy REP Poster, the Powerpoint, or the Prezi show, to zoom in on the characters in this module, and to talk about what kind of animals they are.
- This Sex, Health & the Law module mainly follows Frankie the Hen and Burt the Rooster who are in a relationship as they learn about sex and the law, who has rights during pregnancy and the Code of Health and Disability Consumers' Rights.

SLIDE 2: BACKGROUND MATERIAL

Learn this information and integrate it into your teaching. Don't read it out word for word!

Community Law Centres

- We provide free legal advice, on most topics. You can see a lawyer, for free, on anything to do with employment, family, criminal, tenancy, debt, and beyond.
- Community Law Centres are situated throughout New Zealand and you can locate your nearest one at www.communitylaw.org.nz/your-local-centre/find-a-community-law-centre/. Make sure the class knows where to find their local Community Law Centre. For example: Your nearest Community Law Centre is in Wellington Central at 84 Willis Street Level 2 or in Lower Hutt at 59 Queens Drive. Come in and see us some time!

The REP – Rights Education Project

- We are a team of volunteer students keen to let you know your rights and responsibilities.
- We can present the law on a number of areas, but if you have anything you are particularly interested in, we are always open to new ideas!

Community Law Manual

- Have a look through the Youth Legal Rights section in Chapter 7 (legal ages) and Chapter 27 (harassment and restraining orders) of the Community Law Manual.
- Check out a hard copy at your Community Law Centre or look up the online version: www.communitylaw.org.nz.
- Additionally, look at the online copy of Your Pregnancy Rights: Legal options after a positive pregnancy test.

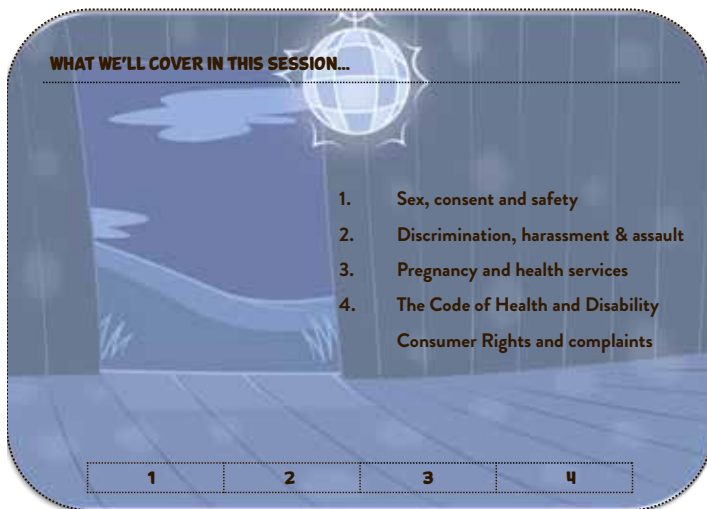
Meet the Barn Bros in this Module

- **FRANKIE THE HEN:** Frankie is a strong, independent woman who always speaks her mind. She loves her children, and Burt, but she's not very good at compromising, and sometimes her anger gets the better of her. She has a strong sense of right and wrong, but needs to learn how to be gentle and kind.
- **BURT THE ROOSTER:** Burt is a misunderstood rebel. He is kind, with a good heart, but he's not great at talking about his problems. He loves being a dad, but his relationship with Frankie the Hen is not very happy. Burt is open and up for learning new things, but hasn't yet found his path.
- **DOUGY THE DOG:** Dougy gets up to all sorts of mischief, and is always trying to pressure his friends into doing the same. He's a thrill seeker, and often doesn't realise that what he's doing is hurting the animals around him.

STUDENT SAFETY:

- It's crucial that the participants feel safe, and are safe, during this session.
- Talk to a staff member before the presentation starts to find out what support is available if anything comes up during the session. Refer to CLC if needed.
- Pass this information on to the class...

SLIDE 3: CONTENT OF MODULE



STORYLINE

- Use the storylines provided to ground each section of the module. Take turns reading out the storyline before starting the next game. The idea is to explain what the characters are up to in the slides – to give the class something to look at and think about while everything else is going on.
- “Frankie the Hen and Burt the Rooster have been together for a couple of years since they started going out in high school. They have a good relationship, but want to find out the deal about sex & the law, pregnancy, discrimination and harassment and their rights as health consumers.”

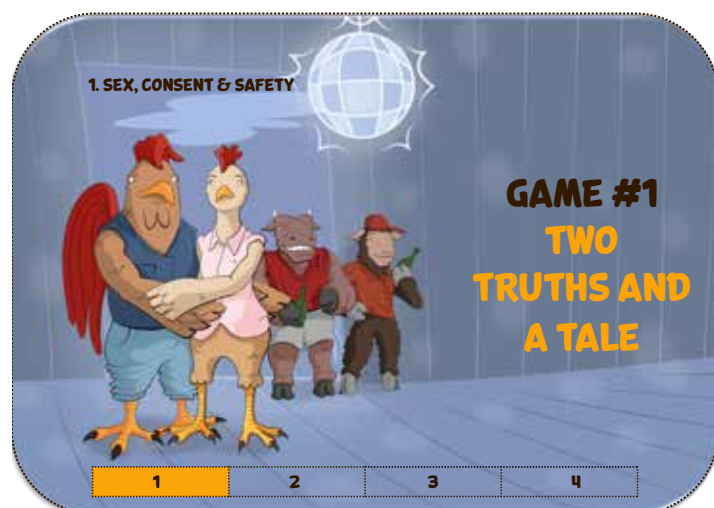
THIS MODULE WILL COVER

- Take a moment to explain the content of each of the four sections in your own words.
- Write this on the board if you think it will help ground the class.
- Let the class know how long each section will take - four games, each around 10-15 mins.
- The material you will cover is:
 - o Sex, consent & safety
 - o Discrimination, harassment & assault
 - o Pregnancy and health services
 - o The Code of Health and Disability Consumer Rights and complaints

ICEBREAKER: “BANNED NAME GAME!”

- The idea of this icebreaker is to encourage participation and to introduce the class members. Work hard to remember the names of everyone in the class.
- This icebreaker introduces the Sex, Health & the Law module by asking the class to come up with banned baby names.
- Either in groups or individually, ask the class to introduce themselves and have a go at guessing a name which someone would not be allowed to name their child.
- If the class is struggling, let them know that names cannot be more than 100 characters long, use an unearned title, or be offensive to the general public.
 - o Reward thoughtful answers with chocolate
 - o Most-denied names between 2001-2012: Justice x 60, King x 29, Princess x 27, Prince x 26, Royal x 21, Duke x 9, Major x 9, Bishop x 9, Major x 8, J x 6, Lucifer x 6
 - o Approved names in 2008: Benson and Hedges (twins), Violence and Number 16 Bus Shelter (both for boys) and although initially approved, Talula Does the Hula From Hawaii was renamed by the court in the same year

SLIDE 4: SEX, CONSENT AND SAFETY



STORYLINE

- “Frankie and Burt started going out when Frankie was 15 and Burt was 16. They talked about getting more intimate, but decided to wait until Frankie turned 16. Frankie’s parents were suspicious of Burt. Burt is relieved they waited as he has heard that he could have got into a lot of trouble if Frankie’s parents had gone to the police.”

THIS SECTION AIMS TO BRING OUT THE FOLLOWING IDEAS

- Legal ages
- Consent
- Sexual orientation
- Contraception
- STIs
- Doctor confidentiality
- HIV/Aids
- Where to go for help

GAME #1: “TWO TRUTHS & A TALE”

Presenters:

- Get the class into groups of three or four, or if a small class, hand out one worksheet to each person.
- Explain that there will be five questions, and for each you will read out three statements (a) (b) and (c).
- Each group needs to identify which of the three statements is a TALE!
- However, there is one TRICK QUESTION which has two tales and the groups need to figure out the TRUTH!
- Hand out a “Two Truths & a Tale” worksheet to each group and ask them to write down the letter of the tale in the right column.
- The group that identifies the most TALES correctly wins chocolate (possibly bonus chocolate if the only truth is identified).

SEX & HEALTH GAME #1: TWO TRUTHS & A TALE ANSWERS

Consent, Sexuality, and Doctors: Truth or Tale...

<p>1.</p>	<p>a) The age of consent to sexual intercourse is 16 b) The age of consent is 16, unless there is a two-year maximum age gap between the partners c) The age of consent for same-sex couples is 16</p> <p>FACT: DID YOU KNOW IT WAS ILLEGAL FOR HOMOSEXUAL MEN TO HAVE SEX UNTIL 1986?</p>	<p>B TALE</p>
<p>2.</p>	<p>a) If you consent to oral sex, that doesn't mean you consent to "going all the way" b) If you are having sex and decide you want to stop, you can still say NO and withdraw your consent c) If you say yes to having sex when you are really, really drunk, you have consented</p> <p>FACT: OBVIOUSLY, NO MEANS NO. BUT A PERSON DOES NOT HAVE TO VERBALLY PROTEST OR RESIST PHYSICALLY TO SAY NO.</p>	<p>C TALE</p>
<p>3. *TRICK QUESTION</p>	<p>a) The age limit for getting contraception is 16 b) There is no age limit for buying contraception c) It is illegal to have unsafe sex</p> <p>FACT: A LOT OF CONTRACEPTION IS FREE OR SUBSIDISED FOR YOUNG PEOPLE! CONTRACEPTION CAN BE BOUGHT BOUGHT FROM FAMILY PLANNING, ETC.</p>	<p>B TRUTH</p>
<p>4.</p>	<p>a) If you know you have an STI, you have to have safe sex b) If your doctor knows you have an STI and you have not told your partner/s, your doctor is required to tell them c) If you know or think you have an STI, you have to get it treated</p> <p>FACT: REMEMBER, YOUR DOCTOR IS BOUND BY PATIENT CONFIDENTIALITY AND IN MOST CIRCUMSTANCES MUST NOT PASS YOUR HEALTH INFORMATION ON.</p>	<p>B TALE</p>
<p>5.</p>	<p>a) If you have HIV/Aids, you have to have safe sex or tell any sexual partners b) If your doctor knows you have HIV/Aids and you have not told your partner/s, your doctor has the right to tell them c) You cannot legally have children if you know you have HIV/Aids</p> <p>FACTS: THERE IS A LESS THAN 2% CHANCE OF PASSING ON HIV/AIDS TO YOUR CHILD IF YOU ARE ON MEDICATION. 2,732 PEOPLE HAVE BEEN DIAGNOSED SINCE 1996...</p>	<p>C TALE</p>

SEX & HEALTH GAME #1: TWO TRUTHS & A TALE

Truth or Tale...?

1.	<p>a) The age of consent to sexual intercourse is 16</p> <p>b) The age of consent is 16, unless there is a two-year maximum age gap between the partners</p> <p>c) The age of consent for same-sex couples is 16</p>	
2.	<p>a) If you consent to oral sex, that doesn't mean you consent to "going all the way"</p> <p>b) If you are having sex and decide you want to stop, you can still say NO and withdraw your consent</p> <p>c) If you say yes to having sex when you are really, really drunk, you have consented</p>	
3.	<p>a) The age limit for getting contraception is 16</p> <p>b) There is no age limit for getting contraception</p> <p>c) It is illegal to have unsafe sex</p>	
4.	<p>a) If you know you have an STI, you have to have safe sex</p> <p>b) If your doctor knows you have an STI and you have not told your partner/s, your doctor is required to tell them</p> <p>c) If you know or think you have an STI, you have to get it treated</p>	
5.	<p>a) If you have HIV/Aids, you have to have safe sex or tell any sexual partners</p> <p>b) If your doctor knows you have HIV/Aids and you have not told your partner/s, your doctor has the right to tell them</p> <p>c) You cannot legally have children if you know you have HIV/Aids</p>	

SLIDE 4: BACKGROUND MATERIAL

Learn this information and integrate it into your teaching. Don't read it out word for word!

Legal ages

- The legal age of consent to sexual intercourse is 16 (The Crimes Act 1961).
- If your partner is under 16, you are breaking the law.
- The main aim here is to protect children from sexual exploitation by adults.
- Even so, if one person is 17 and their partner is 13, and the parents of the 13 year old get worried, they could report the 17 year old to the police. Of course the police would take a range of factors into account before deciding to prosecute.
- It doesn't make a difference if your partner is only two years older than you. There is a common misconception that underage sex is legal, as long as there's only two years between the partners. If you're 15, and he or she is 16, it's illegal.
 - Interestingly, this idea has been so widespread that Parliament decided to consider the idea, but eventually rejected it

Consent

- Obviously, no means no. If a person does not consent to sex, the other person is committing a crime.
- A person does not have to verbally protest or offer physical resistance to show that they have not consented.
- When it gets tricky is when a person does not say "no", or actually says "yes". The Crimes Act says that in some situations, even when a person says "yes", they are not giving true consent:
 - If a person is under 16
 - If they are so affected by alcohol or drugs that they can't say "yes" or "no"
 - If they are asleep or unconscious
 - If they are forced or threatened into saying yes
 - If a person has an intellectual, mental or physical impairment (problem) which is big enough to mean they can't say "no" or do not have the capacity to say "yes"
 - If they are mistaken about who the other person is
 - If they say yes to one thing, and something else happens (for example, if Frankie said yes to touching, but she never said yes to sex with Burt)
- It's very important for both partners to check that the other person really does say and mean "yes".

Sexual orientation: gay? straight? whatever...

- The 1986 Homosexual Law Reform Act set the age of consent for same sex male couples at 16 (prior to this it was a crime for men to sleep with men).
- It has never been illegal for adult women to sleep with adult women.
- The age limit for girls who sleep with girls is also 16.

Contraception

- It's not illegal to have unsafe sex.
- But choosing to have safe sex is important!
- There's no age limit on buying contraception (including the Pill and IUDs, not just condoms). The Pill is cheap (subsidised), and free condoms are available in most GPs and health centres.

STIs: who you have to tell

- Under the Health Act, it is an offence if you know you have an STI and do not have safe sex (max penalties: \$1,000 or one year jail! Although we don't know of anyone who has been prosecuted).
- For STIs such as Chlamydia, Gonorrhoea, Trichomoniasis and Syphilis, or contact of non-specific Urethritis, Pelvic Inflammatory disease (PID), or Epididymo-orchitis, you are required to notify your partners, so they can get it treated. You are not required to notify your partners for Herpes Simplex Virus (herpes) and Human Papilloma Virus (HPV). (NZ Sexual Health Society, January 2015)
- Of course, plenty of people pass on STIs without knowing, or perhaps even when they do know. Apart from the fact

that it's breaking the law, it's not very nice.

- By law, if a person has or thinks they have an STI, they have to get it treated! So you need to get to your doctor quickly.
- You don't have an obligation to tell anyone else (for example Frankie doesn't have to tell her parents).

Doctor confidentiality

- Doctors are bound by patient confidentiality.
- In almost all circumstances, doctors can't pass on your information to anyone else (for example, parents, teachers, police) without your permission. They have to ask you first, and if you say no, they must not disclose your information.
- There are several main exceptions:
 - If the doctor feels they need to prevent a serious and imminent threat to their patient or someone else's safety
 - If it a serious disease and their patient is under 16, the doctor may be obliged to tell their parents or the Ministry of Health
 - To certain other specific people (medical officer of a prison, probation officer, social worker, constable) for the purposes of exercising or performing their duties, powers or functions.

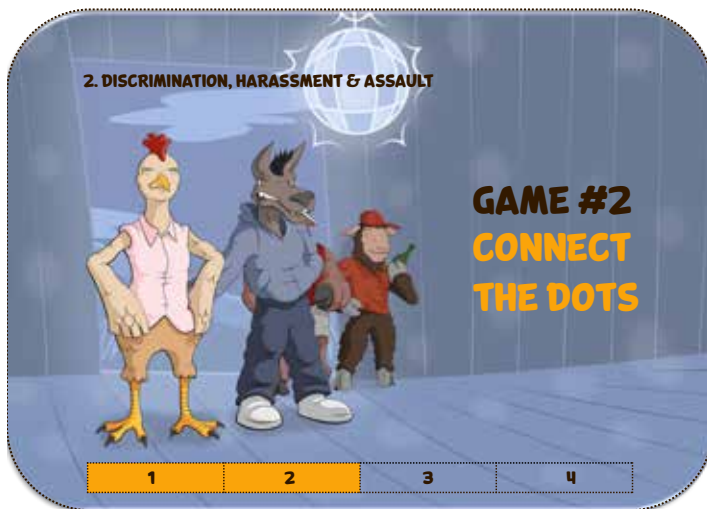
HIV / Aids

- HIV/AIDS is life-threatening, and is still a real issue in New Zealand.
- It is not illegal to keep your HIV status to yourself so long as you have safe sex. All people in New Zealand have a legal duty not to "endanger the life, health or safety of others". This means that HIV infected people must take "reasonable precautions", for example, always using condoms, to avoid transmitting HIV. In 1993, Peter Mwai was charged with Grievous Bodily Harm (GBH) and reckless endangerment for criminally infecting five women with Aids. (New Zealand Aids Foundation, January 2015)
- A doctor should encourage an HIV-positive person to tell their partner. If they don't want to and the doctor thinks there's a real risk to the partner, they can disclose that person's HIV status. The doctor has to tell their patient what they are doing.
- A doctor is only allowed to do this if they are sure their patient has HIV/ AIDS and they have talked to other doctors to get a second opinion on whether the partner(s) needs to be told.
- The treatment for HIV / AIDS is lifelong medication but the life-span for people taking the medication has greatly increased in the last 20 years.

Where to go for help and what it will cost

- Learn about local sexual health clinics, student health services, and community health services, so the audience have the best information on cheap / free health services in their area.
- Local support services in the Wellington region are:
 - Wellington Sexual Health Service: they have their main clinic at 275 Cuba Street in Wellington and outreach clinics in Lower Hutt and Porirua - their services are free but some prescriptions start at \$5
 - Family Planning: they have clinics in Wellington (35-37 Victoria St), Lower Hutt (29 Waterloo Rd) and Porirua (Suite 411, Level 4, North City Shopping Centre) - they provide free clinic visits for NZ residents under 22
 - Vibe (Youth Health Service): 12 Daly Street, Lower Hutt
 - New Zealand Prostitutes' Collective: 202 Willis Street, Wellington
 - Awhina Centre: Level 1, 187 Willis Street, Wellington
 - Many GP's, student and youth health services are registered to provide free sexual health services. You can find out who they are by contacting Compass Health, <http://www.compasshealth.org.nz/ContactUs.aspx>

SLIDE 5: DISCRIMINATION, HARASSMENT AND ASSAULT



STORYLINE

- It's Friday night and Frankie decides to have a girls' night out with her friends. Dougy the Dog has always liked Frankie and thinks he can move on in. He starts making rude comments to Frankie, and is being a bit gross about it all. Frankie is getting worried about what Dougy might try and do."

THIS SECTION AIMS TO BRING OUT THE FOLLOWING IDEAS

- Sexual discrimination
- Sexual harassment
- Restraining orders and protection orders
- Sexual assault
- Victims rights

GAME #2: "CONNECT THE DOTS"

Presenters:

- Hand out a "Connect the Dots" worksheet to each class member
- Explain that they need to connect the dot beside 'offence' with the dot beside the matching example and then to the dot beside 'what you can do'.
- Give chocolate to students who have correctly filled in worksheets
- Use the answers on the following page to facilitate a discussion

SEX & HEALTH GAME #2: CONNECT THE DOTS ANSWERS

Emphasise that Community Law can help with any of these situations and point you or your friends in the right direction...

OFFENCE	EXAMPLE	WHAT YOU CAN DO
SEXUAL DISCRIMINATION	Burt's mate has been told he isn't allowed to take his same-sex partner to the school ball.	Complain to the Human Rights Commission: <ul style="list-style-type: none">• Anyone can complain to the HRC about discrimination if it is in a 'public place'. Public places include: educational facilities, shops, buses, restaurants and government agencies (such as WINZ)
SEXUAL ASSAULT	Frankie the Hen is at a party. Dougy the Dog is really drunk. On her way back from the bathroom he pushes her against a wall and tries to kiss and grope her.	Report the event to the police: <ul style="list-style-type: none">• There is no time limit on making such a complaint. However, as physical evidence often needs to be gathered quickly, make sure you are seen by a medical practitioner in case you wish to go to the Police later.• You can also access: Rape Crisis and Wellington Sexual Help Foundation who help with victims of all types of sexual assault. Contact them for support.
SEXUAL HARASSMENT	Frankie the Hen is at work and her work colleague often makes sexual jokes which make her uncomfortable - sometimes he stands so close behind her that they are touching...	Confront the person or complain to the employer: <ul style="list-style-type: none">• If you feel comfortable, you can confront the harasser on your own or with a support person.• Otherwise, you can make a complaint to your employer or file a personal grievance.• If you are in a union, you can access the support of your union delegate.
CRIMINAL HARASSMENT	Burt the Rooster is being stalked. He's told that bad things will happen to him if he doesn't break up with Frankie.	Report to the Police and get a restraining order: <ul style="list-style-type: none">• If the harasser meant to cause you to fear for your safety, this is a serious crime. If you choose to report it, the police can investigate and charge the harasser.• You can apply for a Restraining Order through the District Court. If you are granted a Restraining Order, they need to stay away from you in accordance with the specific terms of the Order.

SEX & HEALTH GAME #2: CONNECT THE DOTS

- Work out which 'offences' and 'examples' match and draw a line to connect the dots!
- Work out what you can do (it could be more than one thing) in each example situation and draw a line to connect the dots!
- Be in to win...chocolate!

OFFENCE

EXAMPLE

WHAT CAN BE DONE

CRIMINAL HARASSMENT

Burt the Rooster's mate has been told
● he isn't allowed to take his ●
same-sex partner to the school ball.

Confront the person
● or
talk to the employer

SEXUAL HARASSMENT

Frankie the Hen is at a party.
Dougy the Dog is really drunk.
● On her way back from the ●
bathroom he pushes her against
a wall and tries to kiss and grope her.

Report this to the Police
● and
get a restraining order

SEXUAL ASSAULT

Frankie the Hen is at work and her
● work colleague often makes ●
sexual jokes which make her
uncomfortable - sometimes he stands
close behind her so that they are touching...

Complain to the
● Human
Rights Commission

SEXUAL DISCRIMINATION

Burt the Rooster is being stalked. He's told
● that bad things will happen to ●
him if he doesn't break up with Frankie.

Report the incident
● to the
Police

SLIDE 5: BACKGROUND MATERIAL

Learn this information and integrate it into your teaching. Don't read it out word for word!

Sexual discrimination

- Discrimination is when someone is treated differently from someone else in the same situation because of one of their inherent characteristics. Inherent characteristics are things that someone CAN'T change, for example, a disability or physical characteristics.
- Sexual discrimination in public life is illegal. The Human Rights Act says that no one can treat any person differently because of their:
 - Gender (man, woman, transgender, and also includes whether a person is pregnant or has children)
 - Sexual orientation (gay, straight, bi-sexual, transgender)
- Anyone can complain to the Human Rights Commission about discrimination if it is in a 'public place'. This could be:
 - At work, school or in training
 - In public places such as shops, on the bus, at a swimming pool or restaurant
 - At government agencies, such as Work and Income

Sexual harassment

- Sexual harassment is serious, and no one should put up with it.
- In law, for the behaviour to be "harassment" rather than just bad taste, it has to be something a person does not like which happens more than once, or a one-off thing that is so bad it causes a person long-term distress.
- It doesn't matter what the person who is harassing you thinks, or whether they believe their behaviour is bad enough to be harassment: It's about how you feel.
- Examples of sexual harassment:
 - Sexually offensive comments or jokes
 - Repeated calls or emails of a sexual nature
 - Following someone home from work, for example stalking
 - Offensive hand or body gestures
 - Showing posters or magazines of sexual stuff
 - A promise in exchange for sex, or a threat if you don't do a sexual activity
 - Interfering in a sexual manner with property, for example your bag or car
- Steps you can take:
 - Sexual harassment can be subtle, and can happen over a long period, so it's a good idea for you to write down stuff as it happens and talk it over with someone you trust
 - If you can, you should confront the person harassing you and tell them that you don't like what they are doing. You should tell the harasser that you want them to stop - otherwise you will do something about it. This can be done in person or in a letter
 - You do not have to confront the harasser if you do not feel comfortable. You should only do so if you feel confident and safe
 - If the harasser intends to make you feel uncomfortable, threatened or afraid, that is called 'criminal harassment'

Restraining orders

There are two different kinds of harassment, and two legal ways that you can get it to stop:

- If the harasser MEANT to cause you to fear for their safety, this is a serious crime. If you choose to report it, the police can investigate and charge the harasser.
 - You can apply for a Restraining Order through the District Court
 - If you are granted a Restraining Order, they need to stay away from you in accordance with the specific terms of the Order
- If the person didn't mean or intend to make you feel unsafe, it's considered less serious than if they really meant to make you scared.
 - If it is not treated as a crime, and the police don't get involved, the person has a chance to respond to your application

Sexual assault

- We want to talk a bit about sexual assault, but not in too much detail - just enough so that everyone's on the same page and can identify what sexual assault is, and what to do about it.
- Sexual assault is a big issue in NZ (and everywhere else, unfortunately).
- One good way to see how big a problem is, is by looking at the statistics. Research suggests that the figures are:
 - Only 7 in 100 sexual assaults is likely to be reported and only 3 of those get to court, of those 3 only 1 will result in a conviction
 - An estimated 1 in 4 women and 1 in 8 men
 - Many before the age of 16, a third of victims aged 16 to 19 years, and over half under 25 years
 - 9 in 10 sexual violation offences are not reported to the police
 - 13 percent of those charged with sexual assault are actually convicted of the assault (so victims of abuse are unlikely to see their abuser jailed)
 - The majority of offenders are known to the victim. "Total stranger" assaults are just 16 percent and "offenders the victim met within the last 24 hours" are a further 15 percent
- There are various sexual crimes, including sexual violation, indecent assault and incest.
 - Sexual violation: encompasses both "rape" and "unlawful sexual connection"
 - Rape: must be man on woman, must involve penetration of penis into vagina
 - Unlawful sexual connection: this is not gendered, and does not need to involve penetration
 - Indecent Assault: for example kissing or caressing
 - Incest or sexual conduct with a dependent family member
 - If an adult meets up with a young person after 'grooming' them online, and intends to commit sexual assault, the meeting itself is a crime

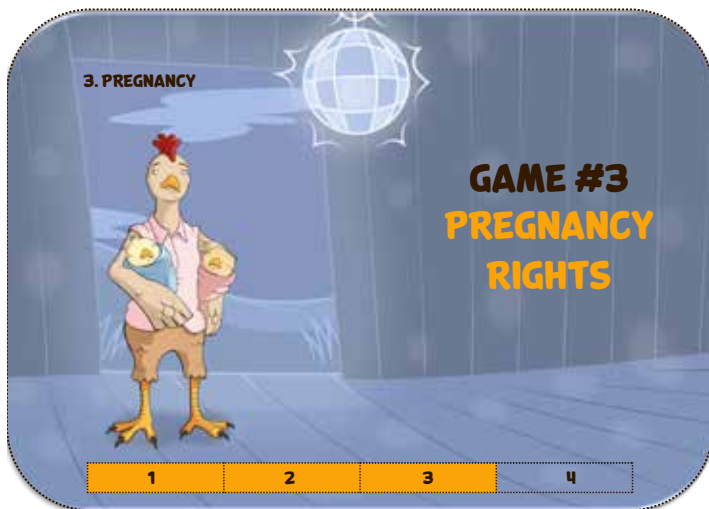
What you can do?

- You have many options, including one or all of these:
 - Tell someone you trust. That can be tremendously hard but it is really important to seek support
 - Go to a support organisation, such as Rape Crisis or Women's Refuge
 - Get a Protection Order (for example, if Burt sexually assaulted Frankie even though they're dating)
 - Don't report the crime, but get a proper medical examination (for evidence, if you ever decide to report the crime later)
 - You may be eligible for counselling from ACC if you have suffered serious mental injury from the assault
 - Read the Rape Survivors Legal Guide at www.communitylaw.org.nz
- You can report the assault to the police:
 - There is no time limit on reporting sexual assault and the Police take all reports seriously
 - Nevertheless, the sooner a complaint is made, the easier it is for the Police to build a case against the offender
 - It's a good idea for the complainant to bring a support person when they report a crime (the police should also assign a support worker in cases of sexual assault reports)
 - A person can choose to have a medical examination (if it happened recently) for evidence
 - A formal statement will need to be made (the police can make a video recording of the complaint which can sometimes be used in court, instead of having to appear in person)
 - The crime is then investigated and, if the police think there is enough evidence, charges will be laid. If there is not enough evidence, this does not mean that the Police do not believe you!

Victim's rights

- As the victim of a crime, that person has important rights that protect them while they are working with the police, and that also protect them from the offender.
- Victim's rights with the police:
 - The victim is entitled to have a support person at all times
 - The police should keep the victim informed at all times (especially of things like whether the offender is likely to get bail)

SLIDE 6: PREGNANCY



STORYLINE

- “Frankie is pregnant! The news has come as a bit of a shock to Frankie and Burt and they aren’t quite sure of where to go to from here. Frankie is worried about what her parents might say and is not sure where she can get good advice on what her options are...”

THIS SECTION AIMS TO BRING OUT THE FOLLOWING IDEAS

- Pregnancy
- Mum’s rights
- Paternity
- DPB
- Abortion
- Adoption
- Whāngai
- Foster Care

GAME #3: “PREGNANCY RIGHTS: AGREE OR DISAGREE?”

Presenters:

- Explain that there is a line across the room with AGREE at one end, DISAGREE at the other, and UNSURE in the middle.
- Ask the class to choose whether they agree or disagree with the statements by standing at the appropriate end of the continuum.
- Read through the statements on the following page.
- When everyone is standing at their place on the continuum ask two students the reasons why they stood where they did on the continuum.
- If the whole class is standing in the same place, presenters you should stand at the other end and give a perspective from a different angle to facilitate discussion.
- After you’ve heard from the students, field a discussion about the issues.
- Remember that all opinions are valid - there is no right or wrong answer.
- Don’t read out the section aims.

SEX & HEALTH GAME #3: PREGNANCY RIGHTS

AGREE

UNSURE

DISAGREE



PREGNANCY RIGHTS: AGREE OR DISAGREE?

- Frankie the Hen is pregnant. She does not legally have to tell the father of the baby that she is pregnant or that he is the father.

AGREE

Mother has privacy and confidentiality rights: the right not to tell the father, or her (or his) parents.

- Burt the Rooster thinks he is the father, but Frankie denies this. Burt has no legal rights and just has to deal with it.

DISAGREE

If a man thinks he is the father (but the mother says he is not), he can apply to the Family Court for a Declaration of Paternity (he can also do this if he thinks he is not the dad and wants to claim that he is not the father).

- Frankie the Hen is thinking about having an abortion and does not need Burt's (the father's) consent to get one.

AGREE

You don't have to tell your partner or your parents (at any age). You can get an abortion at any age and they are free in NZ.

- Frankie the Hen is under 16 her parents have decided to force her to have the baby adopted.

DISAGREE

You have a right to keep your baby, to choose foster care or adoption, or to have an abortion. Birth mothers must consent to adoption, in writing.

- Whāngai is the Māori word for adoption and means exactly the same thing as Pākehā adoption

DISAGREE

Whāngai is a customary Māori practice where a child is raised by someone other than their birth parents – usually a relative. Whāngai is not a legal process, so the main difference between whāngai and adoption is that once the adoption papers have been signed in a formal adoption, adoptive parents have all the legal rights and responsibilities for that child.

- Frankie the Hen is now a single mother trying to get Sole Parent Support (SPS). She has to tell Work and Income who the father is to get the benefit.

AGREE

To qualify for the SPS, Work and Income will ask mothers to name the father – so they can claim money from him. If the mother chooses not to name him, she may not qualify or she may get her benefit reduced. Exceptions: If she does not know who the father is, or if the child was conceived through sexual assault.

SLIDE 6: BACKGROUND MATERIAL

Learn this information and integrate it into your teaching. Don't read it out word for word!

Note: This session doesn't cover parenting (like who provides day-to-day care or what happens when mum wants to leave the country but Dad says no). That is covered in our session on 'Family Law'.

Pregnancy

- This section is about your options if you find out you or your partner is hapu (pregnant).
- If a person finds out they are hapu, what they decide to do is their choice.
- No one can have the right to tell a person whether or not to keep the baby.
- They have a right to keep their baby, to choose foster care or adoption (within some constraints), or to have an abortion.
- New Zealand has one of the highest rates of teenage pregnancy in the western world, behind the UK and the USA.

Mum's rights

- Privacy and confidentiality (the right not to tell the father, or their parents).
- The right to choose what they want to do with regard to the pregnancy.

Establishing paternity (who the father is)

- Mum's rights:
 - If the guy says 'I'm not the father' (but the mother thinks he is), she can apply to the Family Court for a Paternity Order and the court can ask him to have a DNA test
- Dad's rights:
 - A man can refuse to have a DNA test, but the court can consider his refusal when deciding whether he is the dad or not (perhaps he is the father but does not want this proven)
 - If a man thinks he is the father (but the mother says he is not), he can apply to the Family Court for a Declaration of Paternity (he can also do this if he thinks he is not the dad)

Work and Income: Young Parent Payment (YPP)

- If you're aged between 16 and 18 and you have a child you might qualify for YPP.
- To get YPP you have to be:
 - 16 or 17 and living with your parent or guardian who gets a Family Tax Credit
 - 16 or 17 and don't live with your parent or guardian or don't get any financial support from anyone
 - 18 years old and don't have a partner
- To receive the YPP you have to agree that you will:
 - Have regular meetings with your Youth Services Provider
 - Work to further your education or vocational skills
 - Attend budgeting and parenting courses

Work and Income: Sole Parent Support (SPS)

- Either parent can apply for the SPS, but they will have to prove that:
 - They are 19 or over
 - Not in a relationship and don't have financial support
- Only one parent can qualify and if you have shared custody it will affect how much support you can receive.
- For mother's to qualify for the SPS, Work and Income will ask them to name the father – so they can claim money from him.
- If the mother chooses not to name him, she may not qualify or she may get her support reduced.
- Exceptions: If she does not know who the father is, or if the child was conceived through sexual assault.

Abortion

- If you are thinking about termination, here are some of the important facts:
 - No one can force you to terminate, or not to terminate
 - You don't have to tell your parents or your partner
 - Age: you can get an abortion at any age
 - Cost: Abortions are free
- But the law sets some limits around when you can and can't have an abortion:
 - The law says you can only have an abortion if there are serious physical or mental/emotional risks involved with your pregnancy
 - Only a doctor can authorise (and carry out) an abortion
 - Doctors will ensure that certain important steps are followed, such as counselling (and exploring all of your options)

Adoption

- Adoption means that a child will legally become the child of another set of parents.
- The most common form of adoption is "open adoption" where both sets of parents agree that birth parents can keep up contact with the child.
- CYF Family Adoptive Services have counsellors who can meet with you and discuss the process of adoption.
- Consent: Birth mothers must consent to adoption, in writing. Until you sign the consent papers, you can change your mind at any time. Birth father's consent is only required if:
 - He was married to you or in a civil union with you any time from when you got pregnant until when the baby is born
 - He lives with you as a defacto partner any time from when you got pregnant until when the baby is born
 - He has been appointed a guardian of the baby of the court
 - The court thinks his consent should be required

Whāngai

- Within Māori and Pacific Island cultures, the practice of whāngai is very common, and is the tradition of whānau raising other whānau member's children.
- Whāngai is not a legal process, so the main difference between whāngai and adoption is that once the adoption papers have been signed in a formal adoption, adoptive parents have all the legal rights and responsibilities for that child or tamariki.

Foster care

- If you keep your child and need respite care for short or long periods, foster care is available. Often the government pays foster parents for part of this.

SLIDE 7: HEALTH SERVICES & CONSUMER RIGHTS



STORYLINE

- “Frankie is going to the doctor for a check up on the pregnancy and to talk more about her options. She is not very happy with the way her last doctor talked to her and wants to know that her doctors will treat her with courtesy and respect.”

THIS SECTION AIMS TO BRING OUT THE FOLLOWING IDEAS

- Health and Disability Consumers’ Rights
- Complaints

GAME #4: “DODGY DOCTORS”

Presenters:

- Use the scenarios provided to field a discussion about Consumers Health Rights.
- Ask the students to identify which scenario relates to which right listed on the slide/prezi.
- Alternatively, you can get students to come up with scenarios where Frankie and Burt have their rights affected
- Remind students that the local Community Law Centre is available to help, and that complaints can be made to a Health and Disability Advocate for free by contacting 0800 555 050.

SEX AND HEALTH GAME #4: DODGY DOCTORS

Scenario 1:

The doctor starts making rude comments about Frankie's pregnancy like she shouldn't be wearing that kind of clothing

Right affected:

Right to Dignity and Independence



Scenario 2:

The doctor is speaking too fast and Frankie can't understand all of the complicated words that he's using

Right affected:

Right to Effective Communication

Scenario 3:

The doctor won't see Frankie because she's a female!

Right affected:

Right to Fair Treatment

Scenario 4:

Frankie doesn't think that the doctor did all of the checks that were done last time

Right affected:

Right to Services of a Proper Standard

Scenario 5:

When Frankie needs to get changed into a medical gown, the doctor doesn't offer her a chance to get changed behind a curtain or in a changing room

Right affected:

Right to Respect

SEX AND HEALTH GAME #4: DODGY DOCTORS

Scenario 1:

When Burt asks the doctor about her background, the doctor says “It’s none of your business, trust me I’m a doctor!”

Right affected:
Right to be Fully Informed

Scenario 2:

The doctor says that Burt is going to get some tests but Burt hasn’t said yes to anything!

Right affected:
Right to Informed Choices and Informed Consent

Scenario 3:

Burt knows that Frankie’s feeling a bit scared and wants him there during her checkups but the doctors don’t want him there!

Right affected:
Right to Support

Scenario 4:

When Burt asks to see someone to complain, he’s told that he’s not allowed to and is asked to leave!

Right affected:
Right to Complain

Scenario 5:

Burt isn’t told anything about the Code of Health and Disability Services Consumers’ Rights and he doesn’t know what it is

Right affected:
Right to Teaching and Research



SLIDE 7: BACKGROUND NOTES

Learn this information and integrate it into your teaching. Don't read it out word for word!

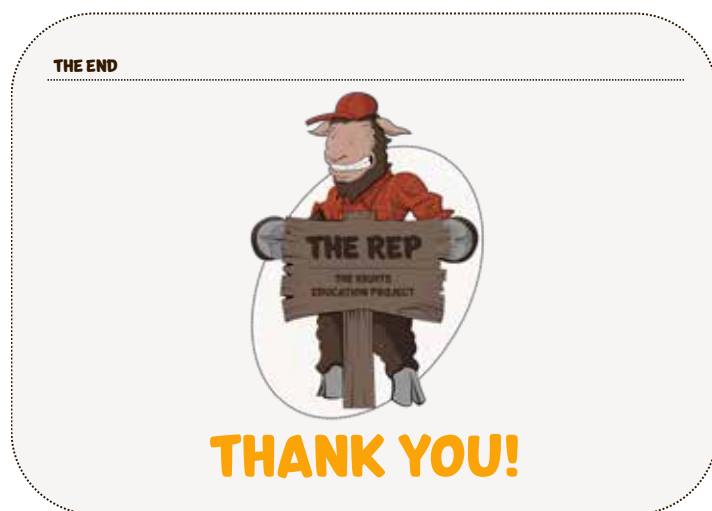
Health and Disability Services Consumer Rights

- If you are getting a medical check-up for any reason, it's important to remember that you have rights about the way doctors and other health professionals treat you. This falls under the Health and Disability Commissioner Act 1994
- You have many rights in this code, including the right to:
 - Respect: Includes respect for your privacy, your culture, values and beliefs
 - Proper standards: Services have to be done with care and skill!
 - Communication: Health service providers need to listen to you and explain what is happening in a way that you can understand
 - To make your own decisions: Health service providers can only do things you consent to (unless it is an extreme emergency and they think they're acting in your best interests)
- You also have a whole lot of other rights which are listed in the Code of Health and Disability Services Consumer's Rights.

Complaints

- If you think your doctor has treated you badly or unfairly, you can complain.
 - First of all, it's best to complain to the health service directly
 - They may even welcome your complaint as it helps them improve or uncover a problem
 - If you feel uncomfortable or would like help to complain, you can access help from a Health and Disability Advocate - this service is FREE! To contact an Advocate - call 0800 555 050
- Remember, your local Community Law Centre may be able to provide you advice as well!

SLIDE 8: CONCLUSION



WRAPPING UP

- Hand out the evaluation forms: make sure everyone fills one in (Note: explain that chocolate can't be their favourite part).
- Find your own way to wrap up the class: thank everyone for participating.
- Remember to link people in with the Community Law Centre if needed.
- Follow up on any questions or issues: bring the correct answers to your next class.
- Fill in one tutor evaluation form between the two presenters.
- Have a rest!