

THE INTERNS & THE LAW FIRM

# Bazley to head inquiry into 'sexual harassment'



by **Melanie Reid, Tim Murphy and Sasha Borissenko** 07/03/2018

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Newsroom has been informed of incidents involving eight male staffers accused of sexual misconduct, harassment or inappropriate behaviour to staff at Russell McVeagh.

Law firm Russell McVeagh has as expected appointed former government troubleshooter Dame Margaret Bazley to investigate its scandal over sexual assaults against summer law clerks – but has called the offending “sexual harassment” only, to the astonishment of some involved.

The allegations are far from what is commonly understood as sexual harassment. They include complaints of sexual violation, including rape.

The firm’s announcement also reveals Dame Margaret’s report on the firm’s handling of the 2015/16 scandal and other “improper conduct” will not be made public. It will instead be shared with “stakeholders”, the Law Society and the law schools of the country’s universities.

Newsroom has been told Russell McVeagh’s portrayal today of the assaults and misconduct during the summer clerk programme as “sexual harassment” has gone down poorly among women closely connected to the case.

One former Russell McVeagh lawyer said: “This review is getting off on the wrong foot because it is minimising, from the outset, the gravity and nature of the alleged offending against the summer clerks. It confirms my scepticism that this review is just another window-dressing exercise.”

It said 80-year-old Dame Margaret, who was a top civil servant before leading the inquiry into the police rapes and sexual misconduct involving Louise Nicholas last decade, would have full access to its previous “internal” inquiries and to any staff “who wish to participate”.

“Former staff and summer clerks will also be invited to take part and she will commence her review immediately.”

Russell McVeagh lawyers who knew of complaints from the summer clerks of sexual assaults did not refer the matter to the Law Society, as required under its rules. The Society only learned of the accusations against two male lawyers from the firm when a woman concerned raised them with it between eight and nine months after the incidents.

The firm conducted its own inquiry, let the two men leave its Wellington office with at least one continuing on Russell McVeagh client work, and changed its summer clerk programme with new rules over alcohol and treatment of women. It says it has since deployed a Zero Tolerance policy to harassment and misconduct in its two offices.

Dame Margaret’s appointment was made by the Russell McVeagh chair, Malcolm Crotty, who has not previously fronted on this issue, which has been handled by its chief executive Gary McDiarmid and a senior woman partner Pip Greenwood.

Greenwood says in the announcement that “the incidents of sexual harassment that have occurred at our firm have had a profound effect on the women involved and we are all truly sorry and horrified that they occurred.”

The public apology is the clearest yet made by the firm.

In the course of inquiries into Russell McVeagh’s handling of the summer clerk programme allegations, Newsroom has been informed of incidents involving eight male staffers accused of sexual misconduct, harassment or inappropriate behaviour to staff. Some have left the firm.

The incidents date from 2000, and some involve senior lawyers. Five allegations date from the past five years. The incidents, by year, are in the graphic above.

While the firm’s terms of reference – or scope – for Dame Margaret specify the incidents in 2015/16 and its aftermath, she should have scope to inquire into these further incidents under its second term “any other improper conduct that may be brought to the attention of the external reviewer and the firm’s response to those claims.”

Her inquiry into the sexual assaults by police against Rotorua woman Louise Nicholas took three years from 2004 to complete and report.

Dame Margaret is regarded as a thorough and exacting inquisitor. She will be helped on this Russell McVeagh review by an un-named woman lawyer.

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