



**National Council of
Women of New Zealand**
Te Kaunihera
Wahine O Aotearoa

National Office
Level 4 Central House
26 Brandon Street
PO Box 25-498
Wellington 6146
(04)473 76 23
office@ncwnz.org.nz
www.ncwnz.org.nz

31 March 2015

S15.12

Submission to the Human Rights Commission on the National Action Plan for all New Zealanders – Theme “Enabling a Fair Go for All”

Introduction

The National Council of Women of New Zealand (NCWNZ) is an umbrella group representing 288 organisations affiliated at either the national level or to one of our 21 branches. In addition to our organisational membership, about 260 women are individual members of branches. NCWNZ's function is to represent and promote the interests of New Zealand women through research, discussion and action. This submission has been prepared by the NCWNZ Public Issues Standing Committee after consultation with the membership of NCWNZ.

This submission is based on discussion among the nucleus committee members of the NCWNZ Public Issues Standing Committee, and responses from the NCWNZ branch membership, affiliated NGOs, and individual members. It sets out responses to the request from the Human Rights Commission for advice on a component of the National Action Plan for All New Zealanders: Discrimination: Enabling a Fair Go for All.

1. What are the priority areas for action on Discrimination: Enabling a Fair Go for All?

NCWNZ members were asked to rank the following actions directed at addressing inequalities and discrimination and indicate why they ranked actions in this way. They were asked:

How would you prioritise these agreed actions? (1 – most important, 5 least important) Please list any other actions that you think should be included and indicate their priority.

The overall ranking of these actions is indicated below:

- 1. Step up the implementation of current national plans for addressing inequalities and discrimination in health, education, employment, pay/salary and gender equality, especially for vulnerable and marginalised groups, including Māori, Pacific, ethnic and disabled people.** [Ranked 2]

2. **Improve participation** – Strengthen efforts to secure Māori political participation at the national level and increasing Māori participation in national government; implement effective measures to achieve the aim of increasing the participation of women in governance in the public sector and private sector. Set targets for increasing Māori participation in policing, the judiciary and the penal system. [Ranked 5]
3. **Take action on structural discrimination** across all sectors particularly in the health; housing; education and justice sector with a focus on Māori and Pacific people in the criminal justice system, including root causes of high rates of incarceration. [Ranked 4]
4. **Reduce child poverty** and establish indicators to measure child poverty; take into account all the recommendations of the Advisory Group of Experts on solutions to child poverty. [Ranked 1]
5. **Address existing challenges to the rights of migrants, refugees and asylum seekers and their families**; use administrative detention of migrants, refugees, asylum seekers only in exceptional circumstances; ensure that genuine asylum seekers are not discriminated against. [Ranked 3]

There were differences across those who responded to the challenges of prioritising these actions, but overall these were the priorities identified. There was concern that the action area ‘Participation’ which focused on Māori participation did not adequately address the range of inequalities Māori experienced in Aotearoa/New Zealand and the need to prioritise action to implement Treaty of Waitangi commitments that would address at least some of these inequalities. Some members argued that there was a need for an action area specific to Māori as the indigenous people of Aotearoa/New Zealand – “Work in partnership with Māori to facilitate action to improve outcomes for Māori and reduce and eliminate discrimination”.

Members were also concerned about intensifying inequalities and the increasingly casualization of paid work that resulted in the financial insecurity of households and the inequalities that these actions were directed at addressing.

Reduce Child Poverty - 1

This action was most frequently identified as a priority for action. This was largely because of the long term inequalities for children who had experienced inequality during their first few years of life. One NCWNZ Branch stated that: “This is an issue which cannot wait”, and another argued that the Government needed to fulfil its obligations under the United Nations Convention on the Rights of the Child. Addressing child poverty is a crucial step in addressing inequalities in educational outcomes as children who are not properly fed cannot learn. There are also long term health problems that arise out of food scarcity and lack of access to nutritious food.

Members argued that addressing child poverty required action in the fields of housing, health, education, and financial support for families with children that demanded a whole of government approach and NGO/Government collaboration. Some members highlighted that

mothers exclusively dependent on benefits struggle to meet their children's needs and are often being encouraged to enter paid work when reasonably priced childcare is not available and levels of remuneration mean that they scarcely receive more than the financial support available on payments from Work & Income. Secondary tax and abatements of forms of income support when sole parents entered paid work were also identified as bureaucratic strategies that produced poverty in sole parent households.

There was general concern that the recommendations of the Expert Group on Child Poverty¹ had not been taken up. Responses from members frequently highlighted the need for strategic action on these recommendations.

Implement current national plans to address inequalities - 2

There was concern that high sounding national plans could just be empty rhetoric. What was important was not more documents, or more talk about the problems, but the resources for action on poverty, poor health outcomes, an inadequate minimum wage, diminished educational achievement and inadequate housing for many people in Aotearoa/New Zealand. This requires collaboration between state actors and the voluntary sector as well as cross agency and cross party commitment. Members considered that actions prioritised in current national plans needed to have long-term funding. They argued that change may take time and initiatives needed several years of support before their impact could be assessed.

This action area was identified as important because it included attention to issues relating to gender inequality as well as the inequalities experienced by Māori, Pacific people and those with disabilities.

Migrants, refugees and asylum seekers – 3

Action to improve the situation of migrants, refugees and asylum seekers was identified as urgent by one NCWNZ Branch. There was general concern about the financial consequences for households where adults were not confident in their use of English and the implications for their families. Muslim immigrants and refugees were identified as a particularly vulnerable and sometimes “get blamed for ISIS”. Refugees were often ill-prepared for conditions in their host country and language barriers made access to employment, education and connection to others in the community difficult. It is important that state agencies facilitate the process of settlement for migrants on low incomes, refugees and asylum seekers.

Structural discrimination – 4

Bureaucratic structures and state agencies have discriminatory effects on Māori, Pacific peoples and those with disabilities. This is not always intentional, but can arise out of the cultural assumptions of those with Pākehā ancestry. An organisation affiliated to NCWNZ argued that

¹ Children's Commissioner. Expert Advisory Group on Solutions to Child Poverty. (2012). *Solutions to Child Poverty in New Zealand: Evidence for Action*. Available [29 Mar 2015] from: <http://www.occ.org.nz/assets/Uploads/EAG/Final-report/Final-report-Solutions-to-child-poverty-evidence-for-action.pdf>

there was a need for “organisational and institutional change to address racism and unintended bias in organisational structures and systems”. They also argued for cultural competence training for health professionals as ignorance in this field generates inequalities in the access by some ethnic groups to adequate health care. Increased support for cross-agency programmes like Whānau Ora was highlighted as well as training within state agencies on the ways in which systems generate unequal outcomes for particular population groups while not being explicitly discriminatory.

Participation - 5

There was wide variety in the ranking of this area for action. Sometimes it was ranked high because it addressed inequalities Māori and women experience in Aotearoa/New Zealand. It was ranked low by other branches and affiliated organisations sometimes because they considered that full participation requires more than better representation of Māori and women in local and national governance, and improved Māori representation in policing, the judiciary and the penal system.

Overall discussion of actions agreed to by Government

Some responses commented critically on the challenges of prioritising these actions. They argued that all the action areas were important in different ways and it was not appropriate to rank their importance. Some members argued that the actions were at very different levels. Child poverty cannot be effectively addressed unless there is action on the conditions that produce poverty such as expensive and unregulated private rental housing, benefit levels and minimum rates of pay. A number of responses from NCWNZ members highlighted the way inequalities are produced by a range of different factors that cut across areas like wages, access to paid work, benefit levels, housing, education, the impacts of colonialism, migration, the experiences of refugees and the impacts on the families of prisoners.

Addressing inequality in Aotearoa/New Zealand requires coordinated and multiple actions by a range of different Government agencies, non-governmental organisations and specific geographical, ethnic and religious communities. A response from one NCWNZ branch stated: “There has to be buy-in from all involved. You can’t have a pick and choose approach to particular interventions or sets of providers”. The relationships between Government and NGOs were identified as particularly important and the need for resources by NGOs working closely with those experiencing most deprivation was highlighted as important in addressing inequalities.

Some members thought that gender inequality needed more attention in the listing of actions. An NCWNZ branch argued that there should be a specific Action Plan for Women that addressed issues of equal pay and opportunity as well as levels of participation in national governance and decision-making in the private sector.

One affiliated organisation highlighted the need for improvements in sexual and reproductive rights in New Zealand which they argued was necessary for equality. They argued that current abortion laws in New Zealand generate particular problems for young and vulnerable women

who want to terminate a pregnancy. Inequalities experienced by these women can mean that they access services later than recommended and this results in a greater risk of complications. This could be addressed by changes to laws that criminalise abortion. This would be consistent with the recommendation to governments of the UN Special Rapporteur on the Right to Health in 2011.²

It is important that resources allocated to address inequalities are used to make a difference to those experiencing poverty or limited access to basic services. There is a danger that these resources “get sucked out” by bureaucratic processes focusing on the rhetoric, strategies and the formulation of policy in this field.

2. How will these actions reduce discrimination and enable equality?

A key strategy for the pursuit of any action directed at ending discrimination and enabling equality was consultation with the people who were the intended beneficiaries of this action (or their whanau/parents and grandparents when the beneficiaries were children). It is also important that those who work with people in poverty have a say in the development of strategies. One NCWNZ branch considered that: “This (action to end discrimination and foster equality) may be more simply and effectively done regionally, taking into account regional differences”. They also argued that: “Consultation needs to be genuine and not token, with responses carefully considered and acted on accordingly”.

There was significant concern about inequalities in access to affordable, warm, safe and healthy housing and an interest in the development and implementation of a warrant of fitness for rental accommodation. There were also concerns about the access of those in households with limited resources to tertiary education and training. Lack of access to financial support for tertiary education by sole parents on benefits was seen as robbing them of a major route to financial independence and a lost opportunity for them to demonstrate the value of tertiary education to their children.

Responses from NCWNZ members also highlighted the need to introduce a living wage and raise the minimum wage because households with adults in paid work were often still not able to meet the material needs of their children.

Several responses from branches, affiliated organisations and individuals focused on the inequalities experienced by those with disabilities and the need for resources to implement the Disability Action Plan and adhere to the commitment to the UN Convention on the Rights of People with Disabilities.³

² UN Special Rapporteur on the Right to Health. (2011). Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. Available [29 Mar 2015] from <http://www.ohchr.org/EN/Issues/Health/Pages/SRRightHealthIndex.aspx>

³ <http://www.un.org/disabilities/convention/conventionfull.shtml>

There was also a recognition that the consequences of the Canterbury earthquakes have intensified inequalities between people in different parts of Christchurch. Research conducted by NCWNZ Christchurch Branch has highlighted some of the different experiences of women living in financially challenging circumstances in eastern Christchurch relative to those in other parts of the city. Women interviewed about their earthquake experiences have commented on the differences between ‘the east’ and ‘the west’, and stories of women in New Brighton, Aranui, Avondale, Dallington, Linwood, Woolston, Phillipstown and Waltham have illustrated the challenges faced by households with low incomes after the quakes of 2010 and 2011.⁴ Unevenness in emergency responses within and across suburbs to the needs of households after the quake was also illustrated through this research. The vulnerability of those in private rental accommodation and on low incomes was sharply highlighted by some of the earthquake stories recorded for this project.⁵

3. Involvement in work relating to addressing discrimination and enabling equality?

Those who contributed to this submission were involved in a range of activities directed at addressing inequalities and enabling equality. This often involved collaboration with other agencies and NGOs. They included:

- Work for the Beneficiaries and Unwaged Workers’ Trust
- Involvement in teacher education directed at inclusion and children’s rights
- Involvement in disability rights groups
- Work on the Counties Manakau District Health Board with responsibility for the development of Health Action Plans for Māori and the Maternity Action Plan that focuses on problems and difficulties experienced by Māori and Pacific pregnant women.
- Work on gender and pay equity and equal employment opportunities for women
- Work for women’s centres, adult education programmes, advocacy and support for women
- Work in Migrant and Refugee Centres as Migrant Support Manager
- Action on the Integrated Maternal and Child Health project that addressed disparities in access to health care
- Work on a national strategy for sexual and reproductive health rights

⁴ Gordon, L; Sutherland, J; Du Plessis, R; Gibson, H. (2014). Movers and shakers : Women’s stories from the Christchurch earthquakes. National Council of Women of New Zealand, Christchurch Branch. Available [29 Mar 2015] from http://www.communityresearch.org.nz/wp-content/uploads/formidable/MOVERS-AND-SHAKERS_Final.pdf

⁵ Gordon, L; Du Plessis, R; Gibson, H.; Sutherland, J. (2014). There is always someone worse off : The unheard voices of women from the Christchurch earthquakes and beyond. . National Council of Women of New Zealand, Christchurch Branch. Available [29 Mar 2015] from http://www.communityresearch.org.nz/wp-content/uploads/formidable/WUV_Report_Final.pdf

- Fundraising and administration of awards to support further education and training for women
- Work in response to violence against women and children, including collaborations with The White Ribbon Trust, NZ Women's Refuge, UN Women and Shakti
- Coordinator of Shakti in a city in the South Island
- Work on strategies directed at disparities in health care, especially relating to Māori women and whānau
- Work for the Top of the South Health Alliance.

4. Groups that are particularly vulnerable to inequality and discrimination?

Those particularly vulnerable to inequality and discrimination are:

- Māori
- Pacific peoples
- children (especially those with health problems and learning difficulties)
- whānau/families of prisoners
- teenagers when they enter paid work
- gay/lesbian/queer and transgendered teenagers and young adults
- refugees
- non-English speaking migrants
- adults without formal educational or training qualifications or qualifications that are recognised in Aotearoa/New Zealand
- people with disabilities
- sole parents (especially those who are young and on benefits, but also those in paid work who are exhausted by employment and childcare responsibilities)
- older people (especially those on low incomes without family living nearby who provide support or those who are at risk in their own families)
- those with mental health problems
- adults living in parts of Aotearoa/New Zealand where there are few employment opportunities.

5. Who should be represented on a monitoring group to assess the implementation of this national strategy for action against discrimination and enabling a fair go for all?

- Māori representatives chosen by different Māori communities
- Pacific community representatives
- Women's Refuge

- Māori Women's Refuge
- Shakti
- Disabled Persons' Assembly
- Community Budgeting Services
- Salvation Army
- Academics with expertise on inequalities (economists, sociologists, psychologists and those with business and planning skills)
- Child Poverty Action Group
- A cross-section of representatives of relevant state agencies including Work and Income New Zealand, the Commissioner of the NZ Police
- Family Planning
- National Council of Women of New Zealand and other NGOs that advocate for women's rights
- Equal Opportunities Employment Trust
- Employers' and Manufacturers' Association
- Educators with expertise relating to diversity among learners and inclusive educational strategies
- Groups representing rural communities, especially women in isolated rural communities, A representative of District Health Boards who are involved in action directed at disparities in access to health care
- A representative of consumers of mental health services.

NCWNZ is available to provide advice and expertise on the composition of this monitoring group. It is ideally placed to do that because it is an organisation composed of representatives of many different community organisations.

6. How could the proposed indicators be improved? Are there other indicators which should be included?

Structural discrimination

The action on structural discrimination indicates that it should be addressed across all sectors, particularly health, housing, education and justice. However, the proposed indicator on structural discrimination on the sheet summarising indicators appears to focus only on the justice sector. Indicators relating to the other fields of structural discrimination must be included.

Health

Indicators could include rates of teen pregnancies and STI rates for different ethnicities. Indicators of success with respect to equal rights to health could include the proportion of

secondary schools that offer school based health services (including sexual and reproductive health services) and the proportion of high schools that offer comprehensive sex education. Age-related mental health indicators in addition to suicide (for example, depression and anxiety rates) should be included.

Social connectedness

There was a critical response to the use of household access to the internet as an indicator of social connectedness. Other important measures are self-reported quality of life, types and locations of social networks, a sense of community, contact with neighbours, involvement in voluntary work, and levels of social isolation or social support.

Indicators relating to gender equality

There was a positive response to the range of indicators of gender equality that were identified, including the monitoring of gender pay gaps in all public service departments and EEO targets for these departments. Measurements of progress in the identification of EEO target groups by recruitment agencies with Government purchasing contracts was also welcomed. It was seen as important to identify who was accessing paid parental leave. Monitoring progress towards 50% representation of women on State Sector Boards, Stock Exchange publicly listed boards and senior management teams is supported by NCWNZ. The Census of Women's Participation parameters is important, however, action to address the disparities between women and men that have already been documented is necessary and should occur simultaneously with the acquisition of data relating to these measures.

Conclusion

We hope that these responses from the many NCWNZ members and affiliated organisations that responded to our request for responses to the questions posed by the Human Rights Commission are useful in the development and monitoring of national strategies relating to discrimination and the pursuit of equality in Aotearoa/New Zealand.



Rae Duff
National President



Rosemary Du Plessis
Co-convener
Public Issues Standing Committee



Judith Sutherland
Co-convener
Public Issues Standing Committee