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18 January 2019

Tēnā koe 

## OFFICIAL INFORMATION ACT REQUEST

Thank you for your request of 29 November 2018:

*May I please see all copies of emails addressing the wellbeing of lesbians (rather than LGBTQI+ women) this past 12 months?*

*How many meetings with lesbian-specific groups (rather than LGBTQI+) were held this past 12 months?*

*How does the Ministry of Women assess impacts of policy on lesbian women?*

*Does the Ministry of Women consult with any specific lesbian groups or representative in order to ensure its policy is supportive of lesbians wellbeing? If so, what lesbian groups does the Ministry of Women consult with?*

*What policy does the Ministry of Women have which addresses the wellbeing or representation of lesbian women?*

Responses to your questions are below:

<b>Question:</b> <i>May I please see all copies of emails addressing the wellbeing of lesbians (rather than LGBTQI+ women) this past 12 months?</i>	<b>Answer:</b> The Ministry does not hold any emails addressing the wellbeing of lesbians (rather than LGBTQI+ women) between 29 November 2017 and 29 November 2018.
<b>Question:</b> <i>How many meetings with lesbian-specific groups (rather than LGBTQI+) were held this past 12 months?</i>	<b>Answer:</b> The Ministry has not met with any lesbian-specific groups (rather than LGBTQI+) between 29 November 2017 and 29 November 2018.

<b>Question:</b> <i>How does the Ministry of Women assess impacts of policy on lesbian women?</i>	<b>Answer:</b> The Ministry assesses impacts of policy on women and girls in all their diversity.
<b>Question:</b> <i>Does the Ministry of Women consult with any specific lesbian groups or representative in order to ensure its policy is supportive of lesbians wellbeing? If so, what lesbian groups does the Ministry of Women consult with?</i>	<b>Answer:</b> The Ministry is not currently consulting with any specific lesbian groups.
<b>Question:</b> <i>What policy does the Ministry of Women have which addresses the wellbeing or representation of lesbian women?</i>	<b>Answer:</b> The Ministry does not currently have a formal policy which addresses the wellbeing or representation of lesbian women.

The Ministry for Women is the Government's principal adviser on achieving outcomes for women and girls, which includes valuing women and girls in all their diversity. New Zealand women are diverse and we know that women's lives are not all the same. Life experiences, issues and priorities may vary for different groups of women, dependent on age, ethnicity, disability, income levels, employment status, marital status, sexual orientation, gender identity, and whether they have dependants.

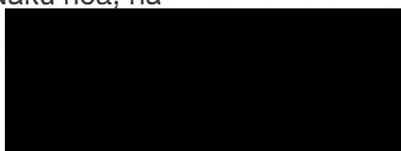
The Ministry works collaboratively with the public sector, women's groups, non-governmental organisations, businesses, unions, and iwi groups, as well as international agencies and organisations to share knowledge, gather new insights and further develop our evidence and policy advice. We welcome opportunities to engage with a wide variety of stakeholders to ensure that our policies deliver for everyone.

For more information on how the Ministry develops its policies, you can refer to our Statement of Intent at [www.women.govt.nz](http://www.women.govt.nz).

The Ministry's email dialogue with you in May 2018 is also relevant and we have attached a copy of that discussion for your quick reference.

You have the right to seek a review of these decisions by way of complaint to the Ombudsman, under section 28(3) of the Official Information Act 1982.

Nāku noa, nā



Helen Potiki  
**Acting Chief Executive**



**Email dialogue: Ministry for Women**

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**From:** [REDACTED]  
**Sent:** Tuesday, 15 May 2018 7:43 AM  
**To:** [REDACTED]  
**Subject:** RE: Response to your questions from the Ministry for Women

Kia Ora [REDACTED]

Thank you for your follow up question. For its policy work the Ministry for Women relies on data collected by a number of other agencies, including Stats NZ. When collecting gender disaggregated data, data collected includes all women and girls who identify as women and girls and all men and boys who identify as men and boys.

I hope this answers your question,

Kind regards,

[REDACTED]

**From:** [REDACTED]  
**Sent:** Friday, 11 May 2018 3:07 p.m.  
**To:** [REDACTED]  
**Subject:** Re: Response to your questions from the Ministry for Women

Kia ora [REDACTED] thank you so much for this information - it was really helpful. I only have one thing I'd appreciate clarified, which is:

What do you mean by 'identify as a woman' in the sentence "*This is inclusive language which recognises all people **who identify as women or girls.***" Further, how does "identify as a woman" differ from "identify as a man"? I believe defining the two phrases in contrast with each other would demonstrate the answer.

I am still confused as to whether the organisation believes being a woman is a result of sex, or whether it is an identity. It seems from the information you gave me that it varies case by case.

Thank you very much,

[REDACTED]

On 9 May 2018 at 14:08, [REDACTED] wrote:

Kia Ora [REDACTED]

Thank you again for contacting the Ministry for Women with a list of questions. I have answered your questions below. If you do have any follow up questions, please do not hesitate to get in touch and, as mentioned on the phone, I would be happy to talk with you further about the Ministry's work programme when you visit Wellington next.

Warm's Regards,

[REDACTED]

**I would like to know how the ministry defines the terms, "woman", "gender", "gender identity" and "female". What the term "gender" refer to in the phrase of the "gender pay gap"? Does it refer to the state of being female, or femininity or something else? Does the Ministry of Women support the conflation of sex with "gender identity"?**

- When referring to the gender pay gap, the Ministry for Women (the Ministry) refers to people who identify as female as this is how it is measured by Statistics New Zealand. In international fora both the Ministry and New Zealand prefer language that refers to women and girls as *women and girls in all their diversity*. This is inclusive language which recognises all people who identify as women or girls.
- You might also like to visit this website <http://www.womenshumanrights.ch/overview.html> which provides the definition and legal basis for 134 keywords contained in international legal instruments and agreed language in UN documents on women's human rights.

**What does the gender pay gap measure?**

- For information on this, I recommend that you visit the following website: [http://archive.stats.govt.nz/browse\\_for\\_stats/income-and-work/Income/gender-pay-gap.aspx](http://archive.stats.govt.nz/browse_for_stats/income-and-work/Income/gender-pay-gap.aspx)

**Who is on the National Advisory Council on the Employment of Women ('The Council')? What are their roles? Are these people paid? Are these people male or female? Please specify?**

- The National Advisory Council on the Employment of Women (the Council) is an advisory body directly responsible to the Minister for Women. The Council is independent of the Ministry for Women, which provides secretariat support to the Council.
- There are seven women on the Council and two men. The Council includes a Business NZ representative and New Zealand Council of Trade Unions representative.

Traci Houppapa, Chair

Katherine Rich (Business NZ representative)

Erin Polaczuk (New Zealand Council of Trade Unions representative)

Theresa Gattung

Norah Barlow

Peggy Fairbairn-Dunlop

Kerry Prendergast

Andrew Cleland

Mark Verbiest

- The role of the Council is defined in its Terms of Reference: "The Council's purpose is to provide the Minister with high quality advice on employment issues for women and inform government policy development in this area that align with Ministerial priorities. Through its work it enables women's participation in employment, leading to greater economic independence and better outcomes for women".



- The Council provides advice that assists the Minister and government in planning and delivering tangible results for New Zealand women by improving their employment outcomes.
- The Council identifies emerging issues, providing a diverse range of views including knowledge about trends in employment.
- The Council meets four times a year and members receive payment for attending meetings. The payment for attending meetings is set in accordance with the Cabinet Fees Framework.

**Who is writing the report for CEDAW this year? How can ordinary New Zealanders be involved in the reporting process? How does the Ministry for Women consult with lesbian women specifically?**

- New Zealand ratified CEDAW in 1985 and is required to report periodically on the progress of women in New Zealand and Tokelau (a dependent territory).
- In June 2016 New Zealand submitted the eighth periodic CEDAW report (the report). In November 2017 the pre-session Working Group of the Committee provided a list of issues and questions seeking to clarify and complete information provided in the report. A written response to the Committee was submitted on 19 February 2018.
- The examination of New Zealand's eighth periodic report is scheduled for the 70th session of the CEDAW Committee, 12 July 2018 at the United Nations Head Quarters (UNHQ) in Geneva, Switzerland.
- The Ministry for Women is responsible for writing reports to the CEDAW Committee, however, much of the information required is supplied by other government agencies.
- As with all New Zealand treaty reports, a draft version of the eighth periodic report was released for public consultation.
- NGOs can also submit alternative country views to the CEDAW Committee through shadow reports, as well as appearing before the CEDAW Committee and lobbying CEDAW Committee members.
- The Ministry encourages anyone, including NGOs and individuals, who wish to submit shadow reports or general feedback to do so. NGOs also participate in the examination process. If you have any feedback we would encourage you to put this in writing and send it to the Ministry.

**What has the Ministry for Women done to improve women's access to abortion so far in 2018? Does the Ministry for Women recognise abortion is a women's health concern?**

- In line with international conventions to which we are a signatory (such as the Beijing Platform for Action), the Ministry recognises that the human rights of women include their right to have control over and decide freely and responsibly on all matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, as a contribution to the achievement of gender equality and the empowerment of women.

- The current government has proposed a policy shift, which would see abortion treated as a health issue and the Minister of Justice, Hon Andrew Little, recently requested the Law Commission's advice on what alternative approaches could be taken in our legal framework to align with a health approach. You can find the Minister of Justice's letter to the Law Commission by following this

link: <http://www.lawcom.govt.nz/sites/default/files/projectAttachments/180227-LITTLE%20Hon%20A-Law%20Commission%20referral%20re%20abortion%20law.pdf>.

The Ministry of Health and the Ministry of Justice are assisting the Law Commission in this work. To date, the Ministry of Health has provided information to the Law Commission about the health system and relevant health services. The Ministry of Health is also assisting in consultation with the health sector.

The Law Commission has a webpage on the review: <http://www.lawcom.govt.nz/abortion>.

They also have a website for public submissions, which is available until 18 May here:

<http://abortionlaw.lawcom.govt.nz/>

Abortion services in New Zealand:

- Abortion services are available in most parts of New Zealand. Two new medical and surgical abortion services have begun this year; a service in Rotorua and Palmerston North. This means that 14 out of 20 District Health Boards (DHBs) offer either medical or surgical abortion services.
- In the North Island seven DHBs offer both (Auckland, Lakes, Taranaki, Tairāwhiti, Midcentral, Wairarapa, Capital and Coast). Women from Whanganui need to travel for all abortion services and for surgical abortion in one area (Bay of Plenty). Within metropolitan Auckland and Wellington areas, women need to travel to the city centre for abortion services (from Waitemata, Counties Manukau and Hutt).
- Of the 5 DHBs in the South Island three (Canterbury, Nelson-Marlborough and Southern) offer medical and surgical terminations. Two DHBs (West Coast and South Canterbury) offer neither, and women are required to travel to Canterbury for services.
- Rates of abortion are decreasing in New Zealand. As rates of fertility are also decreasing it is likely that lowered abortion rates are linked to this rather than to problems with access to abortions.
- If you have any other questions regarding abortion services, I recommend you contact the Ministry of Health.

Abortion law:

- Abortion in New Zealand is currently legal in cases of up to 20 weeks' pregnancy where the pregnant woman faces a serious danger to her life, physical or mental health, or if there is a risk of severe physical or mental impairment to the foetus. For pregnancies after the 20th week the legal grounds are to save the life of the mother, or to prevent serious permanent injury to the physical or mental health of the mother. In cases not covered by these grounds, abortion is a crime under the Crimes Act 1961.
- New Zealand law requires that abortions must be performed in a licensed institution, which is generally understood to be a hospital. Abortions must be approved by two certifying consultants, one of whom must be a gynaecologist or obstetrician. Counselling is optional if the woman desires it. There is no legal age limit for abortion.

## What is your relationship with the National Council of Women NZ?

- The Ministry has a good working relationship with NCWNZ. NCWNZ is a member of the Ministry for Women's International Women's Caucus and members, including Vanisa Dhiru, President of the National Council of Women, regularly attend its meetings.

[REDACTED] Senior Policy Analyst

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[www.women.govt.nz](http://www.women.govt.nz)

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