

# United Nations Convention on the Elimination of All Forms of Discrimination against Women

Ninth Periodic Report by the Government of Aotearoa New Zealand



July 2023



**Te Kāwanatanga o Aotearoa**  
New Zealand Government

# **United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

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## INTRODUCTION

**Aotearoa New Zealand is pleased to present its ninth periodic report (the Report) to the Committee on the Elimination of Discrimination against Women (the Committee). The Report responds to the issues highlighted by the CEDAW pre-session working group, dated 8 July 2022. It also provides information on progress for women in the non-self-governing territory of Tokelau (see Appendix II).**

**The Report should be read in conjunction with Aotearoa New Zealand’s previous CEDAW reports as well as wider human rights reporting and Te Tiriti o Waitangi (Treaty of Waitangi) (Te Tiriti). The Committee should also refer to Appendix I featuring the “Voices of Aotearoa New Zealand Women”.**

**New Zealand is strongly committed to the protection and promotion of women’s rights, as embodied in the Convention on the Elimination of All Forms of Discrimination against Women (the CEDAW Convention).**

Building on our progressive legacy as the first nation to grant women the right to vote in 1893, Aotearoa New Zealand has strong aspirations to create a society that supports women to not only thrive, but to lead and shape a truly gender-equal society. A society where gender equality is woven into the fabric of our nation, empowering women to lead, succeed, and achieve in all spheres of life.

Our vision for women and girls in Aotearoa New Zealand is one of empowerment, safety, connection, and opportunity. Where women experience economic security, freedom from violence, and safety in all areas of life. With access to quality housing, good health, and inclusive education, they can pursue their aspirations. A society where women are recognised for their achievements and occupy leadership roles, honouring the mana (prestige) and rangatiratanga (leadership) of wāhine Māori through upholding both Te Tiriti and Te Ao Māori (the Māori worldview). An Aotearoa New Zealand where women and girls: can participate and lead in any field, including traditionally male-dominated fields; are supported by flexible employment options; valued for their unpaid work; and maintain strong connections to their whānau (family collective), communities, cultures, and whenua (land).

The Government has made steady progress in achieving its gender equality goals and women continue to play a pivotal role in the political, social, and economic life of Aotearoa New Zealand. Improving social and economic outcomes for women and girls in all their diversity will generate lifetime and intergenerational benefits for women, their children, their families, and communities, and ultimately build resilience for everyone.

Overall, there have been improvements in women’s educational attainment and labour force participation. Women’s participation in the labour force has increased from 54.3% in 1991 to 67.1% in December 2022. In 2023, women represented over 53% of positions on public sector boards and committees. In 2022, Aotearoa New Zealand marked a historic milestone with 60 women and 59 men serving as Members of

Parliament. Just a year later, in 2023, Aotearoa New Zealand achieved gender parity in Cabinet for the first time.

Despite this great progress, challenges remain and there is more to do to ensure Aotearoa New Zealand achieves its gender equality goals. The Government's priorities for women reflect the areas where more work is needed, including in employment, skills, and training; equal representation; safety from violence; and health and wellbeing.

The Government is committed to this work and has a wide range of activities underway to achieve this, including:

- a) Te Mahere Whai Mahi Wāhine Women's Employment Action Plan (WEAP), which sets out actions needed to support women to find and stay in work in a changing labour market.
- b) Te Aorerekura, the National Strategy and Action Plan to address and prevent family violence and sexual violence (Te Aorerekura).
- c) The Living Standards Framework and the gender analysis tool, Bringing Gender In (BGI), alongside ensuring the needs and experiences of women are considered in budget processes and in the allocation of funding and resources through gender budgeting.
- d) Modernising the courts system and working on a range of initiatives to ensure the justice system is responsive.

There is much more to do, and a wider range of work underway, as described throughout this report, to support Aotearoa New Zealand to reach its gender equality goals.

The Government acknowledges that some groups of women, particularly Māori, Pacific, migrant and pan-ethnic women, disabled women, and women from Rainbow communities face intersecting discrimination. The Government is committed to working alongside these communities to develop solutions that are responsive to different groups of women in all their diversity.

Aotearoa New Zealand is proud to continue its leadership role on gender equality in the international community. Aotearoa New Zealand is an active participant in international meetings focused on the advancement of women and maintains a strong and consistent voice for women's rights and advancement globally.

Aotearoa New Zealand welcomes the Committee's consideration of this Report and the valuable insights of relevant non-governmental organisations (NGOs), communities, families, whānau, and especially women themselves.

# SPECIFIC RESPONSES TO THE ISSUES AND QUESTIONS

## General – Data collection and analysis

### *Reply to question 1*

1. The Data and Statistics Act 2022 supports higher-quality data and statistics related to gender equality by:
  - a) Recognising and respecting the Crown’s responsibility to give effect to the principles of Te Tiriti by recognising Māori interests in data and statistics.
  - b) Enabling Stats NZ to require administrative data, which supports larger data quantities and more complex and informative data.
  - c) Ensuring diverse groups of people (including women, Māori, Pacific peoples, ethnic communities, disabled people, and Rainbow communities) can have input into data and statistical priorities.
2. The Government’s Data Investment Plan 2022<sup>1</sup> (the Plan) supports strategic investment and improved monitoring of sex and gender-referenced data and analysis. The Plan also prioritises investment opportunities in recognition of data gaps and to increase the visibility of specific populations. The Plan was informed by Aotearoa New Zealand’s obligations under CEDAW and the Beijing Declaration and Platform for Action.
3. Where relevant, data is included in the body and appendices of this Report.

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<sup>1</sup> <https://www.data.govt.nz/assets/Leadership/Government-Data-Investment-Plan-2022.pdf>

## Women's rights and gender equality in relation to the pandemic and recovery efforts

### *Reply to question 2(a), (b), and (c)*

4. The COVID-19 pandemic exposed and exacerbated the gender inequities in our society. These disproportionate impacts generated policy responses focused on both the immediate needs of women, as well as long-term solutions to systemic issues.
5. This included providing essential services in response to unprecedented demand for income support, housing, employment assistance, food, and community funding. The Ministry of Social Development | Te Manatū Whakahiato Ora (MSD) funded services to respond to increased demand and is undertaking longer term work to address these issues.
6. Lockdown experiences differed for men and women. For example, women are more likely to carry the burden of increased unpaid work, such as childcare and caregiving responsibilities. Lockdown also created barriers for those seeking to leave violent or abusive domestic situations.
7. As part of the overall pandemic response, Te Puna Aonui<sup>2</sup> took a systemic and proactive approach by collaborating with the family violence and sexual violence sector, NGOs, and kaupapa Māori (Māori approach) providers to ensure that people who needed help were still able to access it in the context of COVID-19.

### **WHĀNAU PROTECT SERVICE**

8. In 2020, as part of the Government's COVID-19 response and recovery plan, an additional \$5.98 million was directed to the 'Whānau Protect Service' over four years. This service, funded by the Ministry of Justice | Te Tāhū o te Ture (MoJ), supports victims of family violence to remain living safely in their homes. It aims to reduce the risk of re-victimisation for a further 1,296 people over four years.

### **WHĀNAU ORA COVID-19 DELTA OUTBREAK RESPONSE**

9. Te Puni Kōkiri | Ministry of Māori Development (Te Puni Kōkiri) distributed an additional \$23.032 million to Whānau Ora<sup>3</sup> Commissioning Agencies as an immediate response to the impacts of COVID-19. Over 730,000 whānau (wider family) members were supported during this time, with a high proportion being wāhine Māori.

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<sup>2</sup> <https://tepunaaonui.govt.nz/about-us/>

<sup>3</sup> A culturally-based, and whānau-centred approach to wellbeing focused on whānau (family group).

## INCOME SUPPORT

10. Schemes such as the ‘wage subsidy scheme’<sup>4</sup> were made available to vulnerable New Zealanders, including women, in response to the pandemic. This scheme supported employers to continue paying their employees despite lockdowns and business closures because of sickness.
11. This ensured that groups who experience poorer labour market outcomes were supported financially despite the disruptions of COVID-19. 54% of women in employment were supported by at least one of the 2020 wage subsidies, and 41% of women in employment received at least one of the 2021 subsidies.<sup>5</sup>
12. Women’s unemployment peaked at 5.8% in September 2020, then dropped to a record low of 3.2% in December 2021. As at March 2023, it has since risen slightly to 3.7%. Underutilisation of women in the workforce remains an issue, and some women face intersectional disadvantages in the labour market.

## COVID-19 COMMUNITY FUND

13. Financial support was allocated to community organisations that support women and girls through the ‘COVID-19 Community Fund’ (fund).<sup>6</sup> Manatū Wāhine | Ministry for Women (Manatū Wāhine) distributed \$4 million in 2020 and 2021 from funding received from the ‘COVID-19 Response and Recovery Fund’, established in Budget 2020. Successful fund applicants provided services such as:
  - a) Support for women and children experiencing family violence.
  - b) Support for retraining and upskilling.
  - c) Essential supplies such as food, nappies, and sanitary products.

## TE MAHERE WHAI MAHI WĀHINE WOMEN’S EMPLOYMENT ACTION PLAN 2022 (WEAP)

14. The impacts of the COVID-19 pandemic emphasised the need for a specific employment plan targeted at women. The WEAP<sup>7</sup> was launched in June 2022 with the goal of supporting all women in Aotearoa New Zealand to fulfil their potential. It was developed with support from a range of stakeholders who also contribute to its implementation.

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<sup>4</sup> <https://www.workandincome.govt.nz/covid-19/previous-payments/wage-subsidy-extension.html#:~:text=This%20payment%20was%20available%20to,to%20the%20COVID%2D19%20outbreak>

<sup>5</sup> <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/statistics/covid-19/who-received-the-covid-19-wage-subsidies-may-2022.html>;  
<https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/statistics/covid-19/who-received-the-covid-19-wage-subsidies-september-2020.html>

<sup>6</sup> <https://women.govt.nz/library/covid-19-community-fund-2020>

<sup>7</sup> <https://women.govt.nz/women-and-work/te-mahere-whai-mahi-wahine-womens-employment-action-plan>

15. The long-term aim of the WEAP is to improve women’s resilience in the face of social and economic shocks. It is discussed further in the replies to questions 14(e) and 15(a) and (d).

#### INTERNATIONAL FOCUS

16. Gender equality is considered in Aotearoa New Zealand’s international response to the COVID-19 pandemic as part of the Ministry of Foreign Affairs and Trade | Manatū Aorere (MFAT) Humanitarian and Disaster Action Plan.<sup>8</sup> This plan provides a roadmap to support inclusive humanitarian action.
17. Aotearoa New Zealand committed to protecting resources going to sexual and reproductive health rights and ending violence against women services throughout the pandemic. As part of broader COVID-19 vaccine support efforts, Aotearoa New Zealand also donated Pfizer COVID-19 vaccines to the Kingdom of Tonga to enable pregnant women there to be vaccinated.

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<sup>8</sup> <https://www.mfat.govt.nz/en/aid-and-development/humanitarian-action/>



# Visibility of the Convention and its Optional Protocol

## *Reply to question 3*

### **VISIBILITY OF THE CONVENTION AND ENGAGEMENT WITH CIVIL SOCIETY**

18. Manatū Wāhine continues to share information about CEDAW on its website, including previous periodic reports, the current list of CEDAW questions, and the CEDAW ‘tracking tool.’<sup>9</sup>
19. Manatū Wāhine convenes the International Women’s Caucus, a forum for government agencies and NGOs to work collaboratively on international issues relevant to the interests and wellbeing of women.
20. Public consultation and engagement on the draft ninth periodic CEDAW Convention report ran from January 16 – March 24 2023. Members of the public could provide feedback through an online survey, feedback form, via email or post, or during online consultation meetings. Five meetings were run with a range of non-government participants, and 24 written submissions were received. The key themes from the consultation are summarised in Appendix I. “Voices of Aotearoa New Zealand women.”

### **PROFESSIONAL TRAINING AND CAPACITY**

21. Judges and other relevant professionals receive training to encourage them to operate in a gender-responsive manner, as described below.

#### *Judicial education*

22. Judicial education is managed independently and provided primarily through Te Kura Kaiwhakakawā | Institute of Judicial Studies (Te Kura). Te Kura offers programmes on:
  - a) The dynamics of family violence.
  - b) Understanding the impact of sexual violence on trial process and decision-making.
  - c) Responding to diversity and enhancing access to justice.
  - d) Decision-making, including unconscious bias and misconceptions.
23. Kia Mana Te Tangata – Judging in Context: A Handbook is an online resource focused on the fair and equitable participation of all people in the justice process, informed by Aotearoa New Zealand’s international human rights obligations. It includes a chapter on women.

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<sup>9</sup> <https://women.govt.nz/international/convention-elimination-all-forms-discrimination-against-women>

### *Other professionals*

24. New Zealand Police | Ngā Pirihimana o Aotearoa (NZP) recruits receive training in 'Valuing Diversity', which focuses on inclusiveness and treating people equally regardless of gender, culture, sexuality, religion, or diversity of thought.
25. Training for social workers in Aotearoa New Zealand includes a rights-based focus, promoting the principles of human rights and social and economic justice. The Oranga Tamariki | Ministry for Children (Oranga Tamariki) National Care Standards<sup>10</sup> protect children and young people in care from discrimination in the provision of support and services.
26. Training is provided to enhance the cultural capability of Ara Poutama Aotearoa | Department of Corrections (Corrections) staff to support wāhine Māori in their care, and there are plans for sessions on the concepts underpinning 'Te Mana Wāhine Pathway'<sup>11</sup> (described under question 21(c)). Corrections 'Bail Support Services' have wāhine-allocated officers and a specific framework to support best practice, with regular support sessions to build service capability.

### *Te Ope Kātua o Aotearoa | The New Zealand Defence Force (NZDF)*

27. CEDAW is directly relevant to the training provided in the NZDF. It is included in the 'Women, Peace and Security' section of the mandatory legal training provided to all new recruits, and in 2022, was updated to include reference to the Optional Protocol.
28. 'Operation RESPECT'<sup>12</sup> provides a training package around risks to vulnerable people and preventing inappropriate and harmful behaviours. Trainees also learn how to manage harmful behaviours.
29. Operation RESPECT built off the 'More Military Women' programme that commenced in 2014 following the 2013 Manatū Kaupapa Waonga | New Zealand Ministry of Defence (MoD) review of women in the NZDF.
30. An independent review of the programme released in 2020 found fundamental challenges to successful implementation and made over forty recommendations. The NZDF accepted all recommendations and has begun implementing them.

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<sup>10</sup> <https://www.orangatamariki.govt.nz/children-in-our-care/national-care-standards/>

<sup>11</sup> [https://www.corrections.govt.nz/news/2021/maori\\_pathways\\_for\\_wahine](https://www.corrections.govt.nz/news/2021/maori_pathways_for_wahine)

<sup>12</sup> <https://www.nzdf.mil.nz/media-centre/story-collections/operation-respect/>

## Definition of equality and non-discrimination

### *Reply to question 4(a) and (b)*

#### **SPECIFIC PROHIBITIONS ON DISCRIMINATION**

31. Aotearoa New Zealand is committed to maintaining and implementing a legal and policy framework that provides universal protection against all forms of discrimination. This includes the New Zealand Bill of Rights Act 1990 (NZBORA), which affirms New Zealanders' civil and political rights. All Bills are assessed against the rights enshrined in NZBORA, including the right to be free from discrimination. The Human Rights Act 1993 (HRA) provides protections against discrimination across a range of areas and establishes and outlines the role of Te Kāhui Tika Tangata | Human Rights Commission (HRC) of Aotearoa New Zealand.
32. Aotearoa New Zealand is party to seven of the nine core human rights treaties which include protections for women.<sup>13</sup> Before ratifying international treaties, Aotearoa New Zealand has to embed the obligations of these treaties in domestic legislation.
33. A national mechanism has been established for agencies who lead human rights reporting, to support report quality and accountability to treaty bodies. A public-facing online monitoring tool is also being established to track progress on recommendations.
34. While the HRA does not cover gender specifically, it does cover sex and sexual orientation, and the term 'sex' has been interpreted to include gender and sex characteristics, which provides protection against gender discrimination.
35. In February 2022, Parliament passed legislation making it unlawful to perform a conversion practice on persons under 18 years of age or lacking decision-making capacity, or if the practice causes serious harm.
36. In 2022, Te Aka Matua o te Ture | The Law Commission began an independent, first-principles review of the discrimination protections in the HRA for transgender people, non-binary people, and people with diverse sex characteristics. This will include consideration of whether the HRA should explicitly recognise these concepts. The Law Commission will also review the legal responses to hate, including the incitement of hatred provisions, in the HRA.
37. Aotearoa New Zealand takes an inclusive approach to human rights issues, and the Government recognises the right of all people to self-identify. Manatū Wāhine represents and supports the interests of all those who identify as women, including māreikura (Māori feminine), takatāpui (Māori Rainbow identity) and whakawahine (transgender women).

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<sup>13</sup> The two core human rights treaties New Zealand is not a party to are: the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families; and the International Convention for the Protection of All Persons from Enforced Disappearance.

## GENDER-SPECIFIC APPROACH TO LEGISLATION, POLICIES, AND PROGRAMMES

38. Population-focused agencies (Manatū Wāhine, Ministry for Pacific Peoples | Te Manatū mō ngā iwi o te Moana-nui-ā-Kiwa (MPP), Te Puni Kōkiri, Ministry for Ethnic Communities | Te Tari Mātāwaka (MEC), and Whaikaha | Ministry of Disabled People (Whaikaha)) are routinely consulted on, and involved in, public sector policy, regulation, and legislative development.
39. The Department of the Prime Minister and Cabinet recommends cabinet papers include a population implications statement to ensure consideration of the needs of diverse populations.
40. The Manatū Wāhine Bringing Gender In (BGI) tool helps agencies to use a gender lens in policy development. It is currently being updated to further strengthen its effectiveness, ease of use and intersectionality. Manatū Wāhine is also working to offer more systematic gender analysis training across government.

## Access to justice

### *Reply to question 5(a)*

41. Budget 2022 included over \$148.7 million across four years to strengthen the legal aid system and ensure continued access to justice for those who cannot afford legal advice in New Zealand.
42. Since 2023, the Legal Services Amendment Regulations 2022 increased eligibility and repayment thresholds, reduced the payment of the user charge required to access legal aid from \$50 to zero, and reduced the interest rate on unpaid legal aid debt from 5% per annum to zero. The changes will make an extra 93,000 people eligible for legal aid and result in lower repayment obligations for legal services.

### *Reply to question 5(b) and (d)*

#### **DISSEMINATING INFORMATION**

43. MoJ contracts 24 Community Law Centres (CLCs) nationwide to deliver law-related education sessions across their communities. These sessions help people become aware of their rights and the services available to them. In 2021/22, a total of 25,791 participants attended these sessions. Over half the sessions were delivered to local Māori groups.
44. MoJ contracts three specialist CLCs to deliver free legal assistance services focusing on issues relating to youth, disabled people, and Māori land.
45. Work is underway to create resources to provide accessible and consistent information for people to understand their options and to confidently navigate the family justice system in relation to childcare matters. The resources will be accessible and in several languages.

#### **ACCESS TO JUSTICE**

##### *Assessing need*

46. MoJ has partnered with the Ministry of Business, Innovation and Employment | Hīkina Whakatutuki (MBIE) to develop a nationwide survey on access to justice needs in the community. The survey has a particular focus on the experiences and views of key groups, such as Māori and Pacific communities, disabled people, and small business owners and will inform policy and operational initiatives. Survey analysis is expected in early 2024.

##### *Improving systems and processes*

47. MoJ is modernising the courts systems, with aims to improve people's experiences and court efficiency, and reducing dependency on physical locations.

48. 'Te Ao Mārama'<sup>14</sup> is an MoJ-supported initiative aimed at improving District Courts by using solution-focused judging, plain language, tikanga Māori (Māori customary practices), and a new courtroom layout. The model draws from other specialist courts, such as Rangatahi (young person) and Family Violence Courts. Improving the courts systems will have benefits for women and girls, particularly victim-survivors.

#### *Waitangi Tribunal*

49. A cross-agency working group is looking at removing barriers funding for Māori groups, including wāhine Māori, to access justice and participate in Waitangi Tribunal processes. This includes ensuring there is appropriate funding to support attendance and prepare evidence.
50. Manatū Wāhine administers claimant funding for wāhine Māori-led research and participation in the Mana Wāhine Kaupapa Inquiry,<sup>15</sup> including claimant-led research.

#### *Reply to question 5 (c)*

51. MoJ funded three forums on family violence dynamics for the legal profession in 2021 and 2022. The first two focused on understanding the dynamics of family violence; the third was about family violence in different contexts and featured speakers from Rainbow and disabled communities.
52. A family violence and sexual violence response training package is being developed for the court-related workforce, including the legal profession.
53. The Sexual Violence Legislation Act 2021 aims to improve the experience of sexual violence victims in the justice system (referred to elsewhere in the Report).
54. Further information relevant to this question is provided under question 3.

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<sup>14</sup> <https://www.justice.govt.nz/justice-sector-policy/key-initiatives/te-ao-marama/>

<sup>15</sup> <https://www.waitangitribunal.govt.nz/inquiries/kaupapa-inquiries/mana-wahine-kaupapa-inquiry/>

## National machinery for the advancement of women

### *Reply to question 6(a)*

#### **NATIONAL ACTION PLAN**

55. Work is underway to develop a draft strategy to guide and connect actions across government for women in Aotearoa New Zealand. This will be developed in close consultation with diverse groups of women, including wāhine Māori.

#### **WOMEN, PEACE, AND SECURITY**

56. Aotearoa New Zealand launched its first National Action Plan (NAP) on Women, Peace, and Security (WPS)<sup>16</sup> in 2015, covering the period 2015–2019. In 2021, MFAT, MoD, the NZDF, and the NZP jointly produced an implementation report<sup>17</sup> examining Aotearoa New Zealand's progress on the NAP.
57. The Government is committed to developing an updated NAP, which will include appropriate consultation with non-government parties in due course. In the meantime, the approach and actions set out in the first NAP continue to be implemented.
58. Aotearoa New Zealand continues to advocate for WPS issues in bilateral and multilateral engagement with partners (such as the United Nations Peacebuilding Commission, South Pacific Defence Ministers' Meeting, and the United Nations Security Council). Aotearoa New Zealand and Samoa co-hosted a Women, Peace and Security Summit in Apia, Samoa, in 2019.
59. The NZDF aims to integrate gender perspectives across its work, supported by the organisation's overarching Gender and Security Policy Statement, which aims to ensure gender mainstreaming is embedded in the NZDF.
60. The NAP is also central to NZP's work. All NZP deployed staff complete a training module on incorporating gender perspectives in deployment. The gender balance of staff deployed to Pacific Capability Development programmes is also a priority, and training through these programmes has enabled women to feel safer and more confident for frontline work.

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<sup>16</sup> <https://www.mfat.govt.nz/en/peace-rights-and-security/international-security/women-peace-and-security/>

<sup>17</sup> <https://docslib.org/doc/9017111/new-zealands-national-action-plan-on-women-peace-and-security>

## Reply to question 6(b)

### MANATŪ WĀHINE | MINISTRY FOR WOMEN

61. Manatū Wāhine is the Government's principal advisor on improving the lives of wāhine women and kōtiro girls in Aotearoa New Zealand.
62. We provide system leadership, working across government and with stakeholders, including Māori and diverse communities, to improve outcomes for women and girls.
63. We work to ensure diverse voices and perspectives are included in government policy and initiatives and provide tools and advice to support better results for the communities we are here to serve.
64. Budget 2022 increased funding to \$13.1 million in 2021/22 to help Manatū Wāhine carry out its mandate of promoting and protecting women's rights. Our current work programme includes:
  - a) Provision of advice to the Minister for Women.
  - b) Implementing the Te Mahere Whai Mahi Wāhine Women's Employment Action Plan.
  - c) Coordinating the Government response to Wai 2700 – Mana Wāhine Kaupapa Inquiry.
  - d) Leading the provision of gender analysis across government.
  - e) Leading the Government's international reporting commitments in relation to the status of women.
  - f) Supporting women to be nominated and appointed to public sector boards and committees.
  - g) Jointly leading the Equal Pay Taskforce alongside Te Kawa Mataaho | Public Service Commission.
  - h) Providing support to the National Advisory Council on the Employment of Women.

### WHAIKAHA | MINISTRY OF DISABLED PEOPLE

65. Budget 2022 committed \$100 million contingency funding to Whaikaha to progress transformation of disability support systems based on the 'Enabling Good Lives'<sup>18</sup> principles and approaches.
66. This provides disabled people, including disabled women, with greater choice and control over the support they are eligible for, thereby enabling better individual and gender responsiveness. The ongoing evaluation of this "Systems Transformation" will be designed with disabled people and informed by gender-based outcomes.

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<sup>18</sup> <https://www.enablinggoodlives.co.nz/>



67. Investment through this transformation will include safeguarding disabled people from harm, including the prevention of physical and sexual violence that disabled people and, disabled women in particular, experience disproportionately to other populations.
68. Work also continues to achieve pay equity for women working in caring professions, including those who provide support to disabled people.

### *Reply to question 6(c)*

69. The Government is committed to ensuring that investment decisions made through the Budget process improve New Zealander's overall wellbeing, allow for the identification of investments that support women and girls, and promote gender equality.
70. There are two key tools that support gender-responsive budgeting and policy development processes: The Treasury | Te Tai Ōhanga (The Treasury)'s Living Standards Framework<sup>19</sup> (the Framework) and the BGI tool, which is being strengthened.
71. Under the Framework, agencies are encouraged to analyse all elements of budget and policy through distributional, resilience, productivity, and sustainability lenses. Distributional analysis enables agencies to determine where outcomes have been different for different genders and consider how interventions might impact disparities.

### **GENDER BUDGETING**

72. The Government is committed to mainstreaming gender analysis across government initiatives, including the budget process.
73. The Treasury and Manatū Wāhine first trialled a Gender Budgeting Pilot for Budget 2022. Five participating agencies completed a gender impact assessment template across 19 Budget initiatives.
74. An expanded Gender Budgeting Exercise was undertaken for Budget 2023, with 15 participating agencies. Other agencies voluntarily opted into the exercise.
75. Manatū Wāhine also conducts a rapid gender analysis across the entirety of the final Budget package to determine the gendered impacts for women and girls.

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<sup>19</sup> <https://www.treasury.govt.nz/information-and-services/nz-economy/higher-living-standards/our-living-standards-framework>

## National human rights institution

### *Reply to question 7*

#### **MANDATE**

76. While migrants can bring a complaint to the HRC, they currently cannot bring a complaint alleging discrimination in relation to the application of the Immigration Act 2009 or associated regulations. A review of the HRA, which sets out the functions and jurisdiction of the HRC, is on MoJ's work programme as a future project.

#### **COMPLAINTS AND OUTCOMES**

77. Of the enquiries and complaints received by the HRC between 1 July 2017 and 30 June 2022, 44% were registered as being from 'females'. The provision of demographic information is voluntary.
78. Information on outcomes is available for most enquiries and complaints – 10,886 out of 11,918 for the period 2018–2022. Table 1 in Appendix III: Data tables shows the number of outcomes that the HRC considers to be systemic, meaning they have a broader application than the complaint or enquiry itself. Table 2 in Appendix III shows the other outcome categories listed in the HRC database.

## Temporary special measures

### *Reply to question 8*

79. There are various measures and initiatives underway to address the remaining gender inequities in Aotearoa New Zealand. The Government has also made sparing use of temporary special measures, by way of targets to achieve gender parity in leadership, described in more detail in the reply to question 13.

## Stereotypes and harmful practices

### *Reply to question 9(a)*

80. The Government is committed to women having equal opportunity and choice to participate fully in society and the economy. Though New Zealanders generally value gender equality<sup>20</sup> and Aotearoa New Zealand ranks relatively well internationally in existing indexes, underlying factors such as gender norms and stereotypes can create barriers to achieving gender equality.
81. There are a range of measures and initiatives to address these issues and improve outcomes for women and girls, examples of which are described below.

### **GENDER ATTITUDES**

82. The National Council of Women of New Zealand conducted three Gender Attitudes Surveys in collaboration with Research New Zealand in 2017, 2019, and 2021 respectively.<sup>21</sup> The surveys looked at attitudes around gender roles at home, school, and in the workplace and community. Manatū Wāhine contributed funding to the 2021 survey and is also contributing funding for a survey in 2023, focused on questions around gender roles, and attitudes to gender equality, sexual violence, and the Rainbow community.

### **HEALTHY RELATIONSHIPS AND GENDER NORMS**

83. In 2022, the Ministry of Education | Te Tāhuhu o te Mātauranga (MoE) developed educational resources to ensure relationship and sexuality education (RSE) in schools and kura (school) is safe and inclusive. This work is discussed further under question 14(b). These resources provide young people with the opportunity to:
  - a) Learn about and value gender diversity and gender identity.
  - b) Challenge prevailing gender norms.
  - c) Learn about the nature of consent in sexual relationships.
  - d) Promote healthy and safe relationships.<sup>22</sup>
84. A new teaching resource 'Ka huri i te kōrero | Changing the conversations around pornography' discusses how pornography influences choices and reinforces gender stereotypes.<sup>23</sup>

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<sup>20</sup> [https://genderequal.nz/wp-content/uploads/2022/03/Report\\_NCWNZ\\_Gender-Attitudes-Survey-2021-FINAL\\_01-03-22.pdf](https://genderequal.nz/wp-content/uploads/2022/03/Report_NCWNZ_Gender-Attitudes-Survey-2021-FINAL_01-03-22.pdf)

<sup>21</sup> <https://genderequal.nz/ga-survey/>

<sup>22</sup> <https://hpe.tki.org.nz/planning-and-teaching-resources/resource-collections/relationships-and-sexuality-education-guidelines-resource-collection/>

<sup>23</sup> <https://training.education.govt.nz/pages/mediacontent.jsf?mediald=1244287&catalogId=849811&menuId=112475&client=external>

## OCCUPATIONAL SEGREGATION

85. The Government is committed to supporting women to enter occupations in growing industries and where women are currently underrepresented. This work is discussed under question 14(e).

### *Reply to question 9(b)*

86. Data regarding harmful practices is discussed in the reply to question 9(c) below.

## DATA COLLECTION

87. Netsafe<sup>24</sup> collects statistics on the volume and types of online harm experienced, including by ethnicity and gender. Netsafe receives reports on abuse, harassment or threats, false allegations, non-consensual sharing of intimate images, grooming, inappropriate content, and gossip or rumour pages.
88. In the 2021/22 year ended 30 June, Netsafe received 25,000 reports of online harm. Of these, more than 5,000 breached one or more of the communications principles defined in the Harmful Digital Communications Act 2015.
89. Data on bullying in Aotearoa New Zealand is primarily collected through the Programme for International Student Assessment (PISA) Student Wellbeing survey. PISA data is collected every three years, with the most recent data<sup>25</sup> showing that, although girls are less likely than boys to be frequently bullied, slightly more girls than boys experience social-relational bullying.
90. The prevalence of bullying behaviours in Aotearoa New Zealand schools is also monitored through data from the Trends in International Mathematics and Science Study<sup>26</sup> and Progress in International Reading Literacy Study.<sup>27</sup>
91. The January 2021 report 'He Whakaaro: What do we know about bullying behaviours in New Zealand?'<sup>28</sup> shows that students who are more likely to be exposed to bullying identify as male, disabled, gender diverse, Aotearoa New Zealand born, low achievers, and from a disadvantaged background.

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<sup>24</sup> <https://netsafe.org.nz/>

<sup>25</sup> [www.educationcounts.govt.nz/publications/schooling2/large-scale-international-assessments/pisa-2018-student-wellbeing](http://www.educationcounts.govt.nz/publications/schooling2/large-scale-international-assessments/pisa-2018-student-wellbeing)

<sup>26</sup> <https://www.educationcounts.govt.nz/data-services/international/timss>

<sup>27</sup> <https://www.educationcounts.govt.nz/publications/series/2539>

<sup>28</sup> [www.educationcounts.govt.nz/publications/schooling/he-whakaaro-what-do-we-know-about-bullying-behaviours-in-new-zealand](http://www.educationcounts.govt.nz/publications/schooling/he-whakaaro-what-do-we-know-about-bullying-behaviours-in-new-zealand)

## BULLYING PREVENTION ADVISORY GROUP

92. The 'Bullying Prevention and Response Work Programme'<sup>29</sup> for 2019–2022 was developed with input from the cross-sector 'Bullying Prevention Advisory Group'.<sup>30</sup> Key actions under this programme of work include:

- a) Completing the Tō Tātou Kura Atawhai; Our Kind of School project, to better understand how schools and kura can provide safe, inclusive environments.
- b) Developing new Wellbeing@School items on racism, fairness, and resilience strategies.
- c) Providing evidence-informed bullying prevention and response resources
- d) Facilitating Bullying-Free NZ Week, to raise awareness of bullying and ways to address it.
- e) Supporting Netsafe to provide online safety and digital citizenship education, advice, and support to schools.
- f) Funding a refresh of the 'Positive Behaviour for Learning School-Wide' initiative.

## ONLINE HARM

93. Work underway related to online harm is addressed under question 10(a).

### *Reply to question 9(c)*

## HARMFUL PRACTICES UNDER THE LAW

94. The Crimes Act 1961 describes many of the most serious offences in Aotearoa New Zealand and criminalises conduct that causes harm, including physical harm to people. While there is no specific offence for dowry payments, coerced marriage or civil union is illegal and provided for in the Act. Polygamy and bigamy are likewise illegal under the Act. The Minors (Court Consent to Relationships) Legislation Act 2018 requires the consent of a Family Court Judge before a young person aged 16 or 17 years can marry.

95. In 2020, the definition of female genital mutilation (FGM) in the Crimes Act was amended to ensure women and girls are protected from all forms of FGM in law, to ensure that procedures carried out for cosmetic or enhancement purposes are not criminalised, and to extend the exclusion for medical practitioners and midwives to include nurses and nurse practitioners performing medical procedures for the benefit of a person's mental or physical health.

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<sup>29</sup> [Initiatives to prevent and respond to bullying in schools | Child and Youth Wellbeing \(childyouthwellbeing.govt.nz\)](#)

<sup>30</sup> [BPAG - Who are we? | Bullying Free NZ](#)

96. Depending on the circumstances, forced sterilisation could also be covered under the Crimes Act. In September 2021, the Contraception, Sterilisation, and Abortion (Information Collection) Regulations 2021 took effect. They include a requirement for providers to submit an annual report on their sterilisation services, with information on the types, numbers, cost, and wait-time of sterilisations.
97. NZP collects demographic data on victims when investigating crimes, and summary data is presented through its website.
98. From 2018, MoJ has undertaken four iterations of the New Zealand Crime and Victims Survey (NZCVS), which records experience of victimisation in Aotearoa New Zealand, including crimes not reported to police. NZCVS covers sexual violence and intimate partner violence, disaggregated by gender and ethnicity.
99. Data is compiled on all charges prosecuted in courts. Summary data is published on offences, prosecutions, and demographic data.
100. An outcomes and measurement framework is being developed for Te Aorerekura. Attention to combatting harmful practices will be a priority.

## CONTINUING EFFORTS TO COMBAT HARMFUL PRACTICES

### *New Zealand Police*

101. NZP works with ethnic communities to raise awareness of harmful practices, including coerced marriage, through 'Ethnic Liaison Officers'. Refugees receive information on this service during their first six weeks in Aotearoa New Zealand.
102. NZP policy on forced and underage marriages has been updated to include information on the criminal offence of coerced marriage or civil union. Frontline staff receive training on this, as do those on the specialist family harm coordinator course. The Royal New Zealand Police College training session on cultural competency also incorporates a relevant case study.

### *Te Aorerekura: National Strategy to Eliminate Family Violence and Sexual Violence*

103. Te Puna Aonui established a national ethnic communities network comprising ethnic community leaders and practitioners working in the family violence and sexual violence field. This network helps implement Te Aorerekura and co-designs solutions to prevent and eliminate different forms of violence within ethnic communities.

## *Reply to question 9(d)*

104. During 2021, Manatū Hauora | Ministry of Health (Manatū Hauora) commissioned the development of a rights-based protocol to prevent unnecessary medical interventions on intersex children. This includes:

- a) Developing best practice clinical guidelines for care of intersex people.
- b) Supporting workforce capability.
- c) Developing resources and supports for intersex people and their whānau.

105. An 'Intersex Clinical Reference Group' has established good practice guidelines to ensure parents, families, and whānau of intersex newborns are supported. The guidelines outline that a surgical intervention should be delayed until the child can be involved in decision-making if the same health outcome can be achieved.

106. In Aotearoa New Zealand, under the Code of Health and Disability Services Consumers Rights,<sup>31</sup> intersex children (or their parents) can make a complaint if they have received medically unnecessary surgery, particularly where the surgery was not in line with professional standards or where informed consent was not given.

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<sup>31</sup> <https://www.hdc.org.nz/your-rights/about-the-code/code-of-health-and-disability-services-consumers-rights/>



## Gender-based violence against women

### *Reply to question 10(a)*

#### **GENDER-BASED VIOLENCE UNDER THE LAW**

107. The criminal law in Aotearoa New Zealand is generally drafted in gender-neutral terms, recognising that criminal harm may be inflicted by or onto a person of any gender. As outlined in the reply to question 9(c), the Crimes Act describes many of the most serious offences in Aotearoa New Zealand and criminalises conduct that causes harm.

108. The following legislation also deals with harassment and stalking:

- a) The Harmful Digital Communications Act 2015 (HDCA), which addresses harm caused from online communications.
- b) The Harassment Act 1997, which addresses harm caused by stalking-like behaviours.
- c) The Family Violence Act 2018, which deals with breaches of protection orders and can apply to psychological violence (capturing certain harassment and stalking in the online sphere).

109. MoJ is aware of concerns around some aspects of the coverage and application of these laws and has undertaken initial consultations with experts to address these concerns.

#### **A NEW APPROACH TO PREVENTING FAMILY AND SEXUAL VIOLENCE**

110. Aotearoa New Zealand has formalised the way government agencies work together to eliminate family violence and sexual violence, through Te Puna Aonui, the Joint Venture for the Elimination of Family Violence and Sexual Violence. Te Puna Aonui brings together government agencies to align strategies, policy, and investment. It also supports government agencies to take a collective, community-led and people-centred approach to prevention and responses to violence.

111. Te Puna Aonui is responsible for ensuring the effective delivery of Te Aorerekura which recognises that most victims and survivors are women. Te Aorerekura takes a long-term approach to eliminating violence by achieving wellbeing.

112. In 2022, a Budget investment of \$114.5 million over four years was announced to prevent and respond to family violence and sexual violence. In 2023, \$73.5m has been announced to continue this work and to build the monitoring and learning system to measure the progress Te Aorerekura is making.

## ONLINE HARM

113. Te Tari Taiwhenua | Department of Internal Affairs (DIA) is leading work to design and implement a new approach to regulate platforms and providers of media and online content. DIA will be undertaking public consultation in 2023 on a proposed framework for safer media and online content experiences. The framework would regulate providers of content to meet minimum standards to ensure consumer safety and bring online providers into a cohesive system. An independent regulator would be established to oversee the framework and ensure compliance.
114. Some harmful content is already regulated with specific targeted legislation, such as the HDCA and the Films, Videos and Publications Classification Act 1993 (the FVPCA). The HDCA provides remedies for certain online behaviours, for example, cyber bullying or the non-consensual sharing of intimate images. Regimes like the HDCA will still be relevant under a new framework to regulate providers of content. The HDCA was amended in March 2022 to create a new offence of posting an intimate visual recording without consent. This offence does not require proof of intent to cause harm to secure a conviction (as previously required under the Act).
115. The FVPCA lays out a legal framework for classifying harmful publications. Using the FVPCA, Te Mana Whakaatu | Classification Office (Te Mana Whakaatu) assesses harmful content to provide content and age classifications. Recent amendments require video-on-demand content providers to provide NZ-appropriate classifications and to improve enforcement powers for harmful material. Exceptionally harmful publications can be classified as 'objectionable', effectively banning them from Aotearoa New Zealand.
116. Aotearoa New Zealand co-leads the multistakeholder, 'Christchurch Call to Eliminate Terrorist and Violent Extremist Content Online'. Manatū Wāhine and Te Mana Whakaatu support this work, along with Aotearoa New Zealand's role in the 'Global Partnership for Action on Gender-Based Online Harassment and Abuse'.
117. In 2022, leaders directed the 'Call Community' to work on priorities including understanding gender-based hate as a vector for radicalisation to violence. New Zealand's Christchurch Call work received an additional \$1.57m in Budget 2023.

### *Reply to question 10(b)*

118. Te Aorerekura is a 25-year strategy focused on intergenerational change to eliminate family violence and sexual violence. Te Aorerekura acknowledges the gendered nature of family violence and sexual violence. There is a strong focus on primary prevention, healing, and the critical role of community leadership, and tāngata whenua. This includes a Te Ao Māori (the

Māori world) perspective which elevates mana wāhine (status of women) and the role of women in a whānau (family) context.

119. Te Aorerekura includes an initial two-year action plan, containing 40 actions that contribute to six 'shifts' to address the drivers of violence and achieve positive outcomes for women, wāhine Māori, and others impacted by violence. A focus on one shift is to build capacity towards skilled, culturally competent, and sustainable workforces.
120. Each action requires scoping, engagement, development, testing, implementation, evaluation, and expansion. A governance mechanism has been established to monitor and drive implementation. There are also various specialist external and internal working groups progressing implementation.

### *Reply to question 10(c)*

121. An outcomes and measurement framework is being developed for Te Aorerekura that includes assessing data sources and quality.
122. This has involved working with Māori groups, civil society, the Government, and academics to refine Te Aorerekura outcomes and indicators to measure change. Te Pūkotahitanga | the Māori Advisory Group supports the development of a monitoring system that includes kaupapa Māori approaches.
123. MSD's primary prevention initiatives E Tū Whānau,<sup>32</sup> Pasefika Proud,<sup>33</sup> and the Campaign for Action on Family Violence<sup>34</sup> have five-year frameworks for change.<sup>35</sup>
124. Each initiative utilises monitoring and reporting mechanisms appropriate to the type of work being undertaken.
125. Evaluations of these initiatives have not been undertaken in recent years. An evaluation of Pasefika Proud activities is currently under development. E Tū Whānau is nearing completion of the development of three kaupapa Māori measurement tools to be used in an upcoming evaluation.

### *Reply to question 10(d)*

126. NZP launched 'policedata.nz' to provide easy access to regularly updated police crime data through interactive reports. The data can be disaggregated by offence type, sex, relationship of offender to victim, and ethnicity. The reports include the number of proceedings against offenders during a relevant period and provide an overview of trends in proceedings. This data is presented in a way that protects individuals' privacy.

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<sup>32</sup> <https://etuwhanau.org.nz/>

<sup>33</sup> <https://www.pasefikaproud.co.nz/>

<sup>34</sup> <https://www.areyouok.org.nz/about-us/campaign-for-action-on-family-violence/>

<sup>35</sup> [Frameworks for change in Family Violence \(2019-2023\) - Ministry of Social Development \(msd.govt.nz\)](https://www.msd.govt.nz/our-work/primary-prevention/frameworks-for-change-in-family-violence-2019-2023)

127. In 2018, the NZCVS replaced the 'New Zealand Crime and Safety Survey'<sup>36</sup> (outlined previously in the Report). As not all crimes are reported to the police, this provides a fuller picture of victimisation.

128. The MoJ collects data on the number of people with proved charges of family violence offences ordered to pay reparation, including by gender, ethnicity, and age group.

129. NZP data showed a slight increase in the number of family harm investigations (FHI) per month during the COVID-19 pandemic (March 2020–August 2021).

### *Reply to question 10(e)*

#### **ATTRITION AND PROGRESSION REPORT**

130. Relevant work underway includes an MoJ project to improve the experiences of child and young witnesses going through sexual violence proceedings in the District Court. This project will contribute to action 27 of Te Aorerekura, which seeks to develop new practice guidelines for minimum national standards to support participants in court proceedings.

131. The MoJ is also implementing the Sexual Violence Legislation Act 2021, which aims to reduce the potential re-traumatisation that sexual violence victims and witnesses experience when attending or giving evidence in court. It enables victims to give evidence in alternative ways and pre-record their cross-examinations.

132. The MoJ plans to review the 2019 'Attrition and Progression'<sup>37</sup> report biennially.

### *Reply to question 11(a)*

#### **EFFECTIVE COORDINATION AND COLLABORATION**

133. Chief Executives of the joint venture agencies form the Eliminating Family Violence and Sexual Violence Inter-Departmental Executive Board of Te Puna Aonui, which is responsible for ensuring the effective delivery of Te Aorerekura.

#### **INTEGRATED SAFETY RESPONSE (ISR) AND WHĀNGAIA NGĀ PĀ HARAKAKE (WNPH)**

134. Approximately 73% of all family violence episodes reported to NZP are referred to an ISR or a WNPH that uses the case management 'Family Safety System' (FSS). From 1 October 2020 to 30 September 2022, a total of 132,624 females were involved in episodes that were risk assessed and triaged under the FSS. Of these:

- a) 33,616 were female children (under the age of 18 years).

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<sup>36</sup> <https://www.justice.govt.nz/justice-sector-policy/research-data/nzcass/>

<sup>37</sup> <https://www.justice.govt.nz/assets/sf79dq-Sexual-violence-victimisations-attrition-and-progression-report-v1.0.pdf>

b) 109,278 females were identified as victims and 15,863 as perpetrators.

135. An evaluation<sup>38</sup> of ISR completed in 2019 showed the model is effective, makes a positive difference for many families and whānau, and is responsive to Māori. Māori impacted by violence had an 18% reduction in family violence offence related re-victimisation compared with matched controls from non-ISR sites.

136. A 2019 evaluation<sup>39</sup> of WNPH in the Counties Manukau district based on recorded events between 2009 and 2018 showed a total reduction in family harm of 15%, immediate reductions in the harm committed by repeat offenders who were seen in the first 12 months, and an increase in requests for service.

### *Reply to question 11(b)*

137. Aotearoa New Zealand would be pleased to re-issue an invitation to the special rapporteur from 2025.

### *Reply to question 11(c)*

138. The need to improve data collection and statistics on disabled people was a key recommendation made by the United Nations Committee on the Rights of Persons with Disabilities and the 'Independent Monitoring Mechanism'.<sup>40</sup>

139. The 'Disability Data and Evidence Working Group' (DDEWG), co-chaired by the Office for Disability Issues (ODI) and Stats NZ, focuses on the types of data required to ensure the development of sound policy and appropriate services.

140. A key focus of the DDWEG is to ensure that relevant decisions are informed by the views of the disability sector. The DDWEG will also assess what data is required and available to measure the indicators selected for each of the outcome domains in the New Zealand Disability Strategy 2016–2026.<sup>41</sup>

141. DDEWG has worked to ensure data about disabled persons (including disabled women) is collected in an increasing number of government household surveys. The 'New Zealand Crime and Safety Survey' has subsequently provided disaggregated responses by disability status.

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<sup>38</sup><https://www.justice.govt.nz/justice-sector-policy/key-initiatives/addressing-family-violence-and-sexual-violence/work-programme/isr-evaluations/>

<sup>39</sup> Walton D, Brookes, B. 2019. *Technical Report: Whāngaia Ngā Pā Harakeke Pilot, Counties Manukau District*. Outcomes Evaluation: NZP, Safer Whānau.

<sup>40</sup> Comprising the Office of the Ombudsman, the New Zealand Human Rights Commission and the New Zealand Convention Coalition Monitoring Group.

<sup>41</sup> Office for Disability Issues. 2016. *New Zealand Disability Strategy 2016–2026*. Ministry of Social Development. URL: [www.odi.govt.nz/assets/New-Zealand-Disability-Strategy-files/pdf-nz-disability-strategy-2016.pdf](http://www.odi.govt.nz/assets/New-Zealand-Disability-Strategy-files/pdf-nz-disability-strategy-2016.pdf) (accessed 30 December 2022).

142. Currently, NZP does not routinely record whether an applicant for a protection order is disabled. It is exploring better ways of collecting data about disabled people experiencing family harm.

### *Reply to question 11(d)*

143. The Abuse in Care Royal Commission of Inquiry (the Royal Commission) has published three reports to date: 'Tāwharautia: Pūrongo o te Wā – Interim Report (Tāwharautia)', 'He Purapura Ora, he Māra Tipu – From Redress to Pūretumu Torowhānui (Redress Report)' and 'Beautiful Children: Inquiry into the Lake Alice Child and Adolescent Unit (Lake Alice)'. The Redress Report has made 94 recommendations primarily focused on the establishment of a new independent, holistic redress system and improving the redress process for people who have been abused in the care of state or faith-based institutions.

144. The Government has established the Crown Response Unit (CRU) to coordinate a whole-of-government response to the work of the Royal Commission and to progress its recommendations. The CRU is developing proposals with survivors of abuse in care on the design of the new redress system. 'Immediate projects' include:

- a) Establishing an interim listening service for survivors to share their experiences until the new redress system is established.
- b) Early payments for people who are elderly or unwell with a 'rapid payment' option.
- c) Improving access to and control of care records for people who have been in care.
- d) Delivery of a national apology and tangible actions for survivors.

145. The Royal Commission's final report, due in March 2024, will likely contain a wide range of additional recommendations on the operation, safety, and oversight of the care system. This will include cross-Government consideration of the final report's findings and recommendations.

### *Reply to question 11(e)*

#### **KAIWHAKAORANGA SERVICE**

146. The Kaiwhakaoranga Specialist Case Management Service (Kaiwhakaoranga Service) was set up in April 2019 to provide a range of supports for women victims of the 15 March 2019 attacks on two masjid.

147. There has been a range of supports provided to widows and other women impacted by the attacks through the Kaiwhakaoranga Service and other government and non-government

organisations. People opt in to receive support, including counselling and mental health support, housing solutions, education pathways, and legal advice.

## VICTIM SUPPORT

148. Since 2019, Manaaki Tāngata | Victim Support (Victim Support), funded by MoJ, has been providing victims of the Christchurch masjid attacks with a range of psychosocial and financial supports.

149. In 2020/21, Victim Support distributed 938 financial grants and support to 720 people who were directly or indirectly affected by the masjid attacks. This included family members of the deceased, people who were injured, and other survivors, witnesses, and accompanying support people. Many of the victims are women, particularly family members of the deceased.

150. As part of the response to the attacks, MoJ also provided:

- a) a dedicated group of court victim advisors and appointed legal counsel to assist the victims
- b) live streaming of the sentencing event to victims and family members unable to attend.
- c) interpretation of the sentencing hearing in 12 languages.

## CORONIAL INQUIRY

151. A coronial inquiry into the deaths of the 51 people (including four women) killed in the Christchurch masjid attack is currently underway. Family members of the deceased are considered interested parties to the inquiry. Victims of gunshot wounds, parents of child victims of gunshot wounds, and witnesses present at the masjid at the time of the attacks can apply to be interested parties.

152. The coronial inquiry is an independent judicial process. The MoJ provides administrative and logistical support to the coroner. This involves ensuring there is support available for victims through the coronial process.

## Trafficking

### *Reply to question 12(a)*

153. The Prostitution Reform Act 2003 (PRA) aims to reduce harm and decriminalise prostitution (while not endorsing or morally sanctioning prostitution or its use) and safeguards the human rights of sex workers.
154. Additionally, it aims to protect the vulnerable by requiring that only citizens or certain residence-class visa holders can provide commercial sexual services (or manage or invest in the provision of commercial sexual services). This removes incentives for vulnerable people (for reasons of their socioeconomic status, lack of English proficiency, or lack of understanding of the Aotearoa New Zealand legal environment, for example) to enter the country to work as sex workers.
155. In November 2022, the Education and Workforce Committee (the Committee) reported back to the House of Representatives on the 'Petition of Pandora Black: Repeal Section 19 of the Prostitution Reform Act 2003'. The petition requested that the House pass legislation to repeal Section 19 of the PRA and apply the same rights and legal protections to migrant sex workers who are on a work visa as given to citizens.
156. The Committee's report recommended that the Government closely consider Ms Black's petition and the evidence outlined in this report. The Government will consider the matters and evidence raised in the Committee's report and identify pathways to address exploitation of migrant sex workers in consultation with stakeholders. The Government response notes that the Government agrees with the Committee that this issue warrants meaningful consideration.
157. This is a complex area, involving immigration settings and will need to be balanced against other priorities. While there is no current work underway to reform this aspect of the Act, it could be considered as part of a future review.

### *Reply to question 12(b) and (c)*

158. Globally, it is well recognised that women and children are particularly vulnerable to trafficking and exploitation, with children making up a majority of those trafficked.
159. Since 2015, Aotearoa New Zealand has undertaken four prosecutions for trafficking, with 49 victims associated with these four prosecutions. All victims were trafficked into the country from overseas for the purpose of forced labour. Five victims were female, and the remaining 44 were male.



160. In 2021, the Government launched 'Combatting Modern Forms of Slavery: Plan of action against forced labour, people trafficking and slavery'.<sup>42</sup> This provides a five-year, all-of-government response, organised around three internationally recognised 'pillars' of prevention, protection, and enforcement/prosecution.
161. Public consultation commenced in 2022 on potential new legislation to address modern slavery and worker exploitation across operations and supply chains.
162. Government agencies continue to investigate situations of exploitation to identify victims of trafficking. The recent focus has been on preventing and disrupting migrant worker exploitation, which can escalate into or indicate more extreme forms of labour exploitation.
163. In 2021, the Government introduced additional measures to address migrant worker exploitation, including platforms for reporting allegations, a temporary visa for exploited workers, and assistance for migrant victims to navigate support systems.
164. The development of a comprehensive training package for frontline government staff on people trafficking commenced in 2022 and is intended to assist with victim identification.
165. MBIE is currently researching and scoping best-practice models for trafficking victim identification and support, such as a national referral mechanism which will enable more effective collection of data.

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<sup>42</sup> <https://www.mbie.govt.nz/dmsdocument/13568-combatting-modern-forms-of-slavery-plan-of-action-against-forced-labour-people-trafficking-slavery>

## Participation in political and public life

### *Reply to question 13*

166. In 2018, Cabinet introduced a target of gender-equal Minister-appointed public sector boards and committees. The proportion of public sector board and committee roles held by women has subsequently increased, from 47.4% in 2018 to 53.1% in 2022.
167. Since 2019, ethnic representation has been reported as part of an annual stocktake of gender diversity in public sector boards and committees. The proportion of women holding roles has increased incrementally for women who identify as Māori, Pacific, Asian, or other ethnicities. Work is underway to establish data collection on representation of disabled women.
168. Manatū Wāhine provides support and information for emerging women leaders to reach their leadership potential. Manatū Wāhine continues to assist board-appointing government agencies by nominating and endorsing applications from suitably qualified and experienced women.
169. The population-based agencies of Te Puni Kōkiri, MPP, MEC, ODI and Whaikaha also manage nomination services that help diverse candidates upskill and apply for governance positions.

### **WĀHINE MĀORI AND PACIFIC WOMEN**

170. 'Strengthening Wāhine Māori Leadership' is a new initiative, funded through Te Puni Kōkiri, where community providers work directly with wāhine Māori to build and re-establish their cultural capability, leadership, and influencing skills to help strengthen their place within the whānau structure.
171. MPP has invested in governance training workshops to increase Pacific women's representation. In 2021 and 2022, MPP supported the Women in Governance Awards<sup>43</sup> and sponsored the Pacific Governance Leader category.

### **PARLIAMENT**

172. The gender balance of Parliament has continued to improve since the advent of the mixed member proportional (MMP) voting system in 1996. At May 2023, there were 58 women (48.3%) Members of Parliament (MPs) elected to the current 53rd Parliament of Aotearoa New Zealand. This has subsequently increased to 60 women (50%). Thirteen of 25 Ministers (52%) and ten of 20 Cabinet Ministers (50%) are women.

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<sup>43</sup> [https://www.governancenz.org/Category?Action=View&Category\\_id=830](https://www.governancenz.org/Category?Action=View&Category_id=830)

## LOCAL GOVERNMENT

173. The proportion of women elected to local bodies has risen from 30% to 39% from 2010 to 2022, with the number of women candidates also increasing (to 38%). Local boards and community boards tend to have greater proportions of women standing compared with other electoral positions. In 2022, these were 45% and 43% respectively. The number of women elected mayors rose from 18% in 2010 to 32% in 2022.

## WOMEN IN THE PUBLIC SECTOR

174. Te Kawa Mataaho | Public Service Commission (PSC) monitor women's participation in the public service. Women's overall representation in the public service remained stable between 2012 and 2022, at approximately 62%. The number of women chief executives has increased in this reporting period. As at 30 June 2022, women made up 49% (19 of 39) of chief executives compared with 24.1% in 2012. Women now occupy 55.8% of senior leadership positions (up from 42.1% in 2012) in the public service.

175. In November 2021, PSC launched 'Kia Toipoto – Public Service Pay Gaps Action Plan 2021–24' (Kia Toipoto). One of the three goals of *Kia Toipoto* is to accelerate progress for wāhine Māori, Pacific women, and women from ethnic communities. Kia Toipoto builds on the Public Service Gender Pay Gap Action Plan 2018–2021, which saw a reduction in the public service gender pay gap, from 12.2% in 2018 to 7.7% in 2022.

## PRIVATE SECTOR

176. Women held 28.5% of board director roles and 26.4% of chief executives and senior manager roles of all NZX listed companies in July 2022.<sup>44</sup>

177. Global Women and Champions for Change<sup>45</sup> has a work programme centred on four focus areas: increasing gender diversity, increasing Māori and ethnic diversity, leading inclusive cultures, and influencing the outside world.

178. The Institute of Directors New Zealand<sup>46</sup> provides a range of governance and board training for directors and governance professionals, as well as the 'Future Directors' programme, which aims to develop the next generation of directors.

179. The Superdiversity Institute<sup>47</sup> has established a top-100 diverse board-ready chairs and directors list, in collaboration with the MEC. This candidate list aims to help support and showcase the pool of diverse board-ready candidates to improve the diversity of governance roles.

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<sup>44</sup> <https://www.nzx.com/>

<sup>45</sup> <https://globalwomen.org.nz/>

<sup>46</sup> <https://www.iod.org.nz/>

<sup>47</sup> <https://www.superdiversity.org/>

180. Women on Boards New Zealand<sup>48</sup> provides training and support for women wanting to advance their governance careers, delivers the Women in Governance Awards and is hosting a Women in Governance Summit in August 2023, with the theme of Wahine Toa<sup>49</sup> in Governance – Embedding Equity.

#### ONLINE HARASSMENT

181. As outlined in the reply to question 10(a), Aotearoa New Zealand has several relevant criminal laws against harassment and stalking, including under the HDCA.

182. In 2022, the Government enacted changes to the Local Electoral Act 2001 to replace the requirement to include a physical address in an authorisation statement on election advertising, with an option to alternatively include an email address, telephone number, PO box number, or a website address.

183. This change was made in recognition that the requirement of a physical address on electoral advertisements could enable threats of harm to candidates and may discourage certain groups, including women and rural people, from becoming candidates.

184. Further information on online harm is referenced under question 10(a).

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<sup>48</sup> <https://www.governancenz.org/women-on-boards>

<sup>49</sup> Brave women or women leaders and warriors.

## Education

### *Reply to question 14(a) and (f)*

#### ISOLATION AND ACCESS FUNDING

185. Since 2001, the Ministry of Education has used an 'Isolation Index' (Index) to determine the relative isolation of schools and early learning services and prioritises funding and services accordingly.
186. The Index formula, road data, and population data was updated in 2023 to reflect changes in Aotearoa New Zealand over the last two decades. This was combined with the implementation of the 'Equity Index' which has replaced the decile system.<sup>50</sup>
187. The 'Access Barrier Boarding Allowance' covers boarding school fees when there is no local secondary school for geographically remote learners. Currently, 2,097 learners receive this allowance. In addition, the 'Multiple Barriers Boarding Allowance' helps learners with multiple barriers attend their local school. Budget 2022 increased allowances by 8%.
188. There are also additional services targeted to Māori, such as transport assistance funding for Māori-medium schools and boarding contributions.
189. The 'Ngā Iti Kahurangi Programme | Improving Classrooms in Small or Remote Schools'<sup>51</sup> is a direct response to the property challenges faced by geographically isolated or small-sized schools. There are currently 574 state schools in the programme, and all of these schools will have physical upgrades completed by September 2024.

#### DISTANCE LEARNING

190. In response to the COVID-19 pandemic, MoE provided access to internet connectivity, digital resources, and other learning equipment to support remote learning.
191. Internet connections were allocated to more than 40,000 households to help schools and kura deliver distance learning for all learners affected by COVID-19-related school closures or isolation.
192. MoE is reviewing the most effective way to continue to support learners to access remote learning.
193. Te Aho o Te Kura Pounamu (distance education provider) provides another option for learners who are not able to attend a local school or boarding school. MoE also holds

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<sup>50</sup> The Equity Index is a statistical model that estimates the extent to which a school's students face socio-economic barriers to achievement at school.

<sup>51</sup> <https://www.education.govt.nz/our-work/changes-in-education/nga-iti-kahurangi/>

contracts with Rural Education Activity Programmes across Aotearoa New Zealand, which helps to support rural learners.

#### TRANSPORT ASSISTANCE

194. MoE provides transport assistance to over 100,000 learners to get to school each day, almost exclusively to rural communities. MoE applies a range of criteria for school transport eligibility, which is designed to respond to specific barriers, such as distance and a lack of suitable public transport.

#### IKURA | MANAAKITIA TE WHARE TANGATA (PERIOD PRODUCTS IN SCHOOLS)

195. The government funds this programme to:

- a) Reduce barriers to access and improve school attendance, sports involvement, and child and youth wellbeing.
- b) Reduce financial strain on families and whānau experiencing material hardship.
- c) Promote positive gender norms.
- d) Reduce stigmatisation of menstruation.

196. Over 2,000 schools, kura, activity centres, and alternative education providers have opted into the programme, which is reaching around 350,000 menstruating learners. Over a million period product packs have been supplied to schools since June 2021.

#### *Reply to question 14(b)*

197. It is compulsory for Aotearoa New Zealand schools to teach relationship and sexuality education (RSE) up until the end of year 10. Parents have the right to withdraw their child from sexuality education classes, however, to do this, they need to write to the principal of the school.

198. RSE is developed to meet the curriculum of each school community, and it is mandatory for schools to consult with their communities about what is going to be taught.

199. From late primary school onwards, students learn about physical and emotional development during puberty as well as reproduction and sexual behaviour. They also learn about relationships, decision-making skills, and how to keep themselves sexually safe.

200. In 2022, the Government launched new resources to support the teaching of RSE, including a module on pornography.

201. MoE continues to work with the Accident Compensation Corporation to develop resources for teachers and families/whānau specifically relating to healthy relationships, including repurposing successful resources from the Mates and Dates initiative.<sup>52</sup>
202. The suite of teaching resources supporting the delivery of RSE is bicultural and inclusive and includes resources specifically designed for Māori-medium settings.

### *Reply to question 14(c)*

203. The Education and Training Act 2020 and the Children’s Act 2014 provide legislation to cover child safety and wellbeing, as well as broader health and safety legislation.
204. Under the Children’s Act, all schools and kura must have a written child protection policy. This describes the procedures that schools will follow to ensure children are safe and incidents of suspected and potential abuse and neglect are appropriately responded to. These policies must be reviewed every three years and compliance is monitored by the Education Review Office.
205. The Children’s Act also requires all staff who work with children to be safety checked every three years.
206. MoE’s traumatic incident teams are available on request to respond to significant events that impact the physical and emotional welfare of students and teachers. This can include support to respond to sexual violence that has occurred in schools or off-site.

### **MANA WĀHINE KAUPAPA INQUIRY**

207. MoE has been participating in the Waitangi Tribunal’s Mana Wāhine Kaupapa Inquiry, described under question 21(c) below. Several claims allege prejudice against wāhine Māori in historical and contemporary education.

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<sup>52</sup> <https://www.acc.co.nz/newsroom/stories/reflecting-on-mates-and-dates-and-looking-forward/>

### *Reply to question 14(d)*

208. Section 33 of the Education and Training Act 2020 guarantees the right of all domestic learners (including pregnant and parenting girls) to free enrolment and education at any state school between the ages of 5 years and 1 January following their 19th birthday.

209. There are 25 Teen Pregnancy Units (TPUs) in New Zealand. TPUs are educational units attached to an established state or state integrated secondary school. An Early Childhood Education centre, which caters for the children of teen parents, is located either onsite or close by. TPUs provide wraparound support to pregnant or parenting learners to minimise the barriers to education. An Individual Learning Programme is developed based on each learner's individual needs.

210. Sex and relationship education in schools is discussed under question 14(b).

### *Reply to question 14(e)*

211. There are a range of programmes and initiatives in schools, to encourage more young people to opt into STEM-related subjects, particularly those who are under-represented in technology. These are often in partnership with industry and communities.<sup>53</sup>

212. The WEAP includes actions to improve education and employment pathways for women and suggests several education-based actions, including the Targeted Training and Apprenticeship Fund (TTAF), to eliminate structural barriers to women entering traditionally male-dominated fields of study. TTAF ended on 31 December 2022.

213. The WEAP also supports women to get driver licences to support access to a range of educational and employment opportunities.

214. Between 2019 and 2021, the Government funded research to better understand the barriers and opportunities to boost the number of women in trades. In 2021, Manatū Wāhine collaborated with partners in the construction industry to develop resources encouraging women into trades industries and trades-based roles.<sup>54</sup>

215. There are targeted scholarships available across Aotearoa New Zealand to support women in careers in science, technology, engineering, and mathematics (STEM).<sup>55</sup>

216. The reform of vocational education (ROVE) was phased in between 2020 and 2023. ROVE enables learners to move around the country and choose what type of learning works best for them.

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<sup>53</sup> For example through [GirlBoss NZ | Home](#), [About Us - ShadowTech](#), [Girls in Games Senior Development Day | Media Design School](#), [School to Skies - New Zealand Defence Force \(nzdf.mil.nz\)](#)

<sup>54</sup> <https://women.govt.nz/library/women-trades-2021>

<sup>55</sup> For example, Women in STEM (<https://studyspy.ac.nz/scholarships/11399/women-in-stem>); AUT South Bachelor of Computer and Information Sciences Scholarship (<https://studyspy.ac.nz/scholarships/10703/aut-south-bachelor-of-computer-and-information-sciences-scholarship-women-in-stem>).



217. A Vocational Education and Training marketing campaign aims to raise the profile of vocational education so that more people view it as a desirable pathway into employment. The campaign includes dedicated targeting of women and showcases women in non-traditional roles. The campaign concludes in June 2023. The Tertiary Education Commission (TEC) will continue some marketing activity to ensure perception shifts are not lost.
218. The Industry Equity Project aims to attract more women into the construction sector and is now being piloted in engineering, logistics, and manufacturing sectors.
219. Tahatū, an online career planning tool is being developed to provide quality information and support on learning and career pathways for all New Zealanders. The system is being designed to be gender inclusive.
220. In the draft National Careers System Strategy,<sup>56</sup> women are identified as a priority group. The TEC expects to launch this strategy in mid-2023.
221. The Apprenticeship Boost Initiative<sup>57</sup> announced in 2020, allowed people to move into or retain their trade. By September 2022, more than 50,000 apprentices had been supported through it, of which 17% were female. This initiative was extended to the end of 2024 through Budget 2023.
222. There are also industry-led initiatives that include deliberate messaging to women about trades career and training opportunities. Some of these campaigns have received developmental funding from the government.

### *Reply to question 14(g)*

223. Under the Education and Training Act 2020, disabled learners have the same rights to education at state schools as non-disabled learners.
224. The key strategies and frameworks that guide this work are the National Education and Learning Priorities (NELP),<sup>58</sup> the Tertiary Education Strategy (TES),<sup>59</sup> the Learning Support Delivery Model (LSDM),<sup>60</sup> and He Pikorua practice framework<sup>61</sup> for MoE and learning support practitioners.
225. The Learning Support Action Plan 2019–2025<sup>62</sup> sets out six priorities for learning support to drive progress towards an inclusive education system. The aim is that those with learning support needs receive the right support at the right time.

<sup>56</sup> <https://www.tec.govt.nz/focus/our-focus/careers-system-strategy/>

<sup>57</sup> <https://www.workandincome.govt.nz/employers/subsidies-training-and-other-help/apprenticeship-boost/>

<sup>58</sup> <https://www.education.govt.nz/our-work/overall-strategies-and-policies/the-statement-of-national-education-and-learning-priorities-nelp-and-the-tertiary-education-strategy-tes/>

<sup>59</sup> <https://www.education.govt.nz/our-work/overall-strategies-and-policies/the-statement-of-national-education-and-learning-priorities-nelp-and-the-tertiary-education-strategy-tes/>

<sup>60</sup> <https://www.education.govt.nz/our-work/changes-in-education/strengthening-learning-support/a-new-model-for-delivering-learning-support/>

<sup>61</sup> <https://hepikorua.education.govt.nz/>

<sup>62</sup> <https://conversation.education.govt.nz/assets/DLSAP/Learning-Support-Action-Plan-2019-to-2025-English-V2.pdf>

226. The Highest Needs Review was conducted from 2021-2022 to examine interventions for learners with the highest level of learning support needs. Subsequent recommendations will guide the Highest Needs Change Programme<sup>63</sup> towards an improved learning support system.

227. In September 2022, the ERO report 'Thriving at School? Education for Disabled Learners in Schools' made recommendations to raise the quality and inclusiveness of education for disabled learners. MoE is considering the recommendations, and many will be addressed through existing work.

### **PHYSICAL ACCESSIBILITY**

228. All new work on school property must meet certain standards to ensure buildings are inclusive and accessible. Additionally, MoE provides funding for modifications to existing school buildings to respond to accessibility and learning support needs.

### **CURRICULUM REFRESH AND NCEA CHANGE PROGRAMME**

229. The New Zealand Curriculum, Te Marautanga o Aotearoa, and the National Certificate of Educational Achievement (NCEA) are being changed to make them more inclusive and accessible.

230. Further work is underway to ensure disabled students are supported in Te Reo Matatini me te Pāngarau | Literacy and Numeracy, a new co-requisite qualification for NCEA.

231. Resources for teachers and learning support staff on Universal Design for Learning and inclusive education have been developed.

### **REFORM OF VOCATIONAL EDUCATION**

232. ROVE is creating a Unified Funding System for Aotearoa New Zealand. This system includes learner success funding to lift performance for traditionally underserved learners, including disabled learners. For 2023, providers will receive a funding rate per full-time equivalent learner who is disabled.

233. ROVE has also established six Workforce Development Councils to address the needs and aspirations of priority learners, including disabled learners in specified industries.

### **SUPPORTING THE EDUCATION WORKFORCE**

234. Learning Support Coordinators (LSC) have been introduced with the aim of ensuring all learners receive support to learn and progress. The Learning Support Network aims to build the capability of LSCs, teachers, and other staff that work with disabled learners.

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<sup>63</sup> <https://www.education.govt.nz/our-work/changes-in-education/highest-needs-change-programme/>

235. MoE contracted Massey University of New Zealand to provide a new post-graduate qualification from 2021 with core content on neurodiversity (including autism).

236. Since December 2021, Te Rourou Whai Hua (a learning support toolkit) has had modules included on supporting inclusive schools, and webinars on hearing impairment.

#### **SUPPORTING DISABLED ĀKONGA (LEARNERS)**

237. Te Tiriti articles have been embedded into inclusive design modules, supporting learning communities to be mana enhancing and culturally informed.

238. In 2022, in partnership with Taonga Takiwātanga Charitable Trust, MoE held five wānanga (conference) on marae (traditional meeting place), exploring the Māori world view on takiwātanga (autism). Approximately 330 people participated from a range of learning support roles.

239. In addition, MoE:

- a) Is working in partnership with Tainui Kāhui Ako (community of learning) to develop resources in the Māori medium to support dyslexic Ākonga.
- b) Has consulted with a range of disability voices on a draft set of impact statements for disabled ākonga and their families and whānau.

## Employment

### *Reply to question 15(a)*

240. Released in mid-2019, the all-of-Government Employment Strategy<sup>64</sup> (the Employment Strategy) sets out the Government's programme for improving labour market outcomes and supporting employment that contributes to a productive, sustainable, and inclusive economy. It covers seven population-focused Employment Action Plans (EAPs), including the WEAP and Te Mahere Whai Mahi Māori Māori Employment Action Plan<sup>65</sup> (MEAP).

241. The Employment Strategy was updated in 2022. Minor changes were made to ensure a more enduring framework with greater emphasis on implementation and monitoring. A monitoring framework will be established to track progress towards the Employment Strategy's objectives. Key labour market indicators will allow for the tracking of long-term trends that influence the objectives of the Employment Strategy.

242. The WEAP has 31 action items divided into three success areas:

- a) Women are financially secure.
- b) The labour market is inclusive of women.
- c) Women are supported to meet their paid and unpaid work commitments (without incurring penalties).

243. The MEAP and WEAP have bespoke initiatives that seek better working conditions for wāhine Māori. This includes an initiative under the WEAP focused on ensuring wāhine Māori, Pacific women, and women of other ethnicities have access to accessible information about employment programmes and initiatives.

244. Other EAPs, such as the Pacific Employment Action Plan<sup>66</sup> (PEAP) and the Former Refugees, Recent Migrants and Ethnic Communities Action Plan<sup>67</sup> include specific initiatives to support women within these population groups. The Youth Employment Action Plan<sup>68</sup> also includes initiatives that contribute to providing better employment outcomes for wāhine Māori in particular.

245. Implementation plans have been developed for both the MEAP and WEAP, and MPP is progressing priority initiatives for the PEAP.

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<sup>64</sup> <https://www.mbie.govt.nz/business-and-employment/employment-and-skills/employment-strategy/>

<sup>65</sup> <https://www.mbie.govt.nz/dmsdocument/18759-te-mahere-whai-mahi-maori-maori-employment-action-plan-english>

<sup>66</sup> <https://www.mpp.govt.nz/programmes/pacific-employment-action-plan/>

<sup>67</sup> <https://www.ethniccommunities.govt.nz/assets/News/Former-Refugees-Recent-Migrants-and-Ethnic-Communities-Employment-Action-Plan.pdf>

<sup>68</sup> <https://www.mbie.govt.nz/dmsdocument/6613-our-youth-employment-action-plan>

246. MBIE reports to employment, education, and training Ministers every six months on the progress of the EAPs. The December 2022 report showed that implementation progress is on track with most actions completed, ongoing, or being implemented.

### *Reply to question 15(b)*

#### **PAY EQUITY IN LEGISLATION**

247. Amendments to the Equal Pay Act 1972 (the Act) in 2020 introduced a practical and accessible process to raise and consider claims of systemic sex-based pay undervaluation in female-dominated occupations. The Equal Pay Amendment Act 2020 sets out a clear pay equity process to test whether work that's predominantly done by women is free from sex-based undervaluation.

248. There have been 10 pay equity settlements to date which have resulted in 111,549 people receiving a pay correction averaging 32.4%. As of May 2023, there are 27 pay equity claims progressing through the pay equity process. These claims cover approximately 215,000 people working in the public, funded and private sectors.

249. The Pay Equity Advice and Assurance Taskforce (the Taskforce), within the PSC, is a dedicated team that provides quality advice, information, resources, and education to support the implementation of pay equity in accordance with the Act for public and private sector organisations.

250. Te Orowaru,<sup>69</sup> a free work assessment toolkit, was designed for use in pay equity assessments. It recognises cultural values when correcting for any undervaluation. The Taskforce is developing guidance for how to use Te Orowaru in a wider job evaluation context.

251. MBIE holds a data repository with information on comparators and pay equity settlement agreements. The repository is overseen by a tripartite group of Government, business, and union representatives. MBIE also provides statutory, free, and neutral dispute resolution services (mediation) for parties involved in bargaining.<sup>70</sup>

#### **FAIR PAY AGREEMENTS**

252. The Fair Pay Agreements Act 2022<sup>71</sup> was introduced to enable employment terms to be improved for employees. The Fair Pay Agreements system brings together unions and employer associations to bargain for minimum employment terms for all covered employees

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<sup>69</sup> <https://www.publicservice.govt.nz/system/public-service-people/pay-gaps-and-pay-equity/te-orowaru/>

<sup>70</sup> <https://www.employment.govt.nz/resolving-problems/steps-to-resolve/mediation/>

<sup>71</sup> [https://www.legislation.govt.nz/act/public/2022/0058/latest/LMS655992.html?search=ts\\_act%40bill%40regulation%40deemedreg\\_fair+pay\\_resel\\_25\\_a&p=1](https://www.legislation.govt.nz/act/public/2022/0058/latest/LMS655992.html?search=ts_act%40bill%40regulation%40deemedreg_fair+pay_resel_25_a&p=1)

in an industry or occupation. Information for employees and employers about their rights and obligations under this law is available on the MBIE website.<sup>72</sup>

## KIA TOIPOTO

253. Kia Toipoto is being implemented across the public service.<sup>73</sup> Its goals are to:

- a) Substantially reduce gender, Māori, Pacific, and ethnic pay gaps.
- b) Accelerate progress for wāhine Māori, Pacific women, and women from ethnic communities.
- c) Create fairer workplaces for all, including disabled people and members of Rainbow communities.

254. Kia Toipoto builds on the Public Service Gender Pay Gap Action Plan 2018–2021 which saw a reduction in the public service gender pay gap, from 12.2% in 2018 to 7.7% in 2022. The Māori pay gap has fallen substantially from 11.2% in 2018 to 6.5% in 2022. The Pacific pay gap has dropped to 17.7% in 2022 from 21.6% in 2018 and the Asian pay gap has dropped slightly to 12.4% in 2022 from 12.6% in 2018.

255. The Government expects the public service to lead the way in closing the gender and ethnic pay gaps across the public service and build a workforce that reflects the diversity of Aotearoa New Zealand.

## PAY TRANSPARENCY

256. The Government is committed to reducing the gender pay gap and has agreed to investigate whether a pay transparency<sup>74</sup> system would be beneficial for Aotearoa New Zealand. Ministers have asked officials to provide advice shortly on key elements for a pay gap reporting system. These elements include who the system should apply to (i.e., the size and type of businesses) and the measures that need to be reported. The National Advisory Council on the Employment of Women<sup>75</sup> is the Minister for Women's ministerial advisory group and the advisory group for pay transparency.

### *Reply to question 15(c)*

257. See the reply to question 2.

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<sup>72</sup> <https://www.employment.govt.nz/starting-employment/unions-and-bargaining/fair-pay-agreements/>

<sup>73</sup> <https://www.publicservice.govt.nz/system/public-service-people/pay-gaps-and-pay-equity/kia-toipoto/>

<sup>74</sup> <https://women.govt.nz/women-and-work/pay-transparency>

<sup>75</sup> <https://women.govt.nz/about-us/national-advisory-council-employment-women>

### *Reply to question 15(d)*

258. See previous information provided on the WEAP.

#### **WOMEN IN EXPORT TRADE**

259. The Government is committed to reducing the barriers to trade for women as part of its ongoing efforts to promote Trade for All.<sup>76</sup> The WEAP also includes a focus on reducing barriers to women's export participation.

260. In our bilateral trade agreements, Aotearoa New Zealand has concluded two recent Free Trade Agreements (FTA) with substantive outcomes on trade and gender.

261. The NZ-UK FTA has a dedicated chapter on trade and gender equality, which includes obligations that promote gender equality, as well as a commitment to cooperate to advance women's engagement in trade. The NZ-EU FTA also contains an article on trade and gender equality, which is subject to dispute settlement mechanisms.

262. Aotearoa New Zealand also continues to promote international efforts to advance women's engagement in trade through initiatives such as the Global Trade and Gender Arrangement<sup>77</sup> (GTAGA).

263. New Zealand Trade and Enterprise's (NZTE) Women in Export programme is reviewing the support it provides to businesses to better tailor offerings to women exporters.

264. NZTE appointed a Women in Export Lead in partnership with MFAT. This role assists NZTE to increase the representation of both women-led companies and diversity in leadership across our export community, and to organise events to support women in export.

265. In 2022, Aotearoa New Zealand's trade delegations included over 40% representation by women – a significant increase from previous years.

### *Reply to question 16(a)*

266. The MoE provides funding for early childhood centres through the Early Childhood Education (ECE) Funding Subsidy, 20 Hours ECE funding, Equity funding, and Targeted Funding for Disadvantage.

267. Budget 2023 extends the 20 Hours Early Childhood Education funding to two-year-olds (which is currently only available for three- to five-year-olds) from 1 March 2024. This will help parents manage their day-to-day living costs while also providing scope for additional uptake of ECE for parents where cost has been a barrier to participation.<sup>78</sup>

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<sup>76</sup> [www.mfat.govt.nz/en/trade/nz-trade-policy/trade-for-all-agenda](https://www.mfat.govt.nz/en/trade/nz-trade-policy/trade-for-all-agenda)

<sup>77</sup> [https://www.mfat.govt.nz/assets/Trade-General/Trade-policy/ITAG-Inclusive-Trade-Action-Group/ITAG\\_Global-Trade-and-Gender-Arrangement-Text-for-signed-Arrangement.pdf](https://www.mfat.govt.nz/assets/Trade-General/Trade-policy/ITAG-Inclusive-Trade-Action-Group/ITAG_Global-Trade-and-Gender-Arrangement-Text-for-signed-Arrangement.pdf)

<sup>78</sup> <https://www.beehive.govt.nz/release/cheaper-childcare-20-hours-free-ece-extended-two-year-olds>

268. The Government has also increased funding for Kōhanga reo<sup>79</sup> in recent years, with over \$200 million provided to support equity and sustainability for this service. Budget 2023 provides infrastructure maintenance funding to Puna Reo<sup>80</sup> and Kōhanga Reo early childhood centres.
269. MSD offers a range of supports and assistance to help families with the cost of childcare, focused on helping parents work and study and supporting children’s learning and development.
270. MSD is currently undertaking a review of childcare assistance. The review is part of the Welfare Overhaul<sup>81</sup> work programme and seeks to improve the assistance delivered by MSD to low- and middle-income families.

### *Reply to question 16(b)*

271. Aotearoa New Zealand maintains a robust legislative and administrative system to ensure that labour market discrimination is effectively addressed.
272. The HRA outlines what behaviours are considered unlawful conduct and the process for protecting New Zealanders’ rights. The HRC responds to and resolves human rights complaints from the public through mediation. If a complaint is not resolved at mediation, a person can take legal action through the Human Rights Review Tribunal.<sup>82</sup>
273. The ERA protects employees from discrimination and sexual and racial harassment. It also provides a means to address bullying at work. All employment agreements include an obligation for the employer to provide a safe workplace. Where this obligation is breached and the employee has been disadvantaged in their employment or is forced to resign because of that breach, they can raise a personal grievance.
274. In addition, under the Health and Safety at Work Act 2015, any person conducting a business must ensure the health and safety of workers, including their mental health and protection from bullying or harassment at work.

### REMEDIES

275. The Government provides a free employment mediation service to help resolve employment relationship problems. If mediation is unsuccessful or not wanted, employees can raise a personal grievance with their employer under the ERA, bringing proceedings to the Employment Relations Authority and subsequently the Employment Court.

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<sup>79</sup> Māori-language immersion programmes.

<sup>80</sup> Puna Reo is a type of playgroup that focus on learning Te Reo Māori and tikanga.

<sup>81</sup> <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/welfare-overhaul/index.html>

<sup>82</sup> <https://www.iustice.govt.nz/tribunals/human-rights/about/>



276. The Employment Relations Authority or Employment Court may award a range of remedies, including:

- a) Reinstating the employee in their former position or in a position no less advantageous.
- b) Relevant reimbursement.
- c) Compensation.
- d) Disciplinary or rehabilitative action (in sexual or racial harassment cases).

277. Information about public sector agencies and other organisations that can help those affected by sexual harassment and/or workplace bullying is available from the WorkSafe New Zealand website.<sup>83</sup>

278. All Aotearoa New Zealand citizens and resident class visa holders are eligible for publicly funded health and disability services.

#### **PUBLIC CONSULTATION AND FURTHER WORK**

279. In 2021, MBIE consulted the public on current systems that prevent and respond to bullying and harassment (including sexual harassment) at work. The Government is currently considering the next steps for this work.

280. Also in 2021, a Member of Parliament's bill was introduced in Parliament that proposes an extension to the timeframe for raising a personal grievance for sexual harassment from 90 days to 12 months. The bill is currently being considered by the Education and Workforce Committee.<sup>84</sup>

#### *Reply to question 16(c)*

281. While Aotearoa New Zealand values the role of international treaties and conventions in our constitutional arrangements, a standard process of considering domestic legal ramifications means Aotearoa New Zealand is currently unable to ratify the listed conventions.

#### **VIOLENCE AND HARASSMENT CONVENTION, 2019 (NO. 190) (THE CONVENTION)**

282. Preliminary analysis suggested that current employment, health and safety, human rights, and justice legislative frameworks largely accommodate the convention's key principles and a number of elements. However, several issues of compatibility were identified.

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<sup>83</sup> <https://www.worksafe.govt.nz/about-us/news-and-media/workplace-bullying-and-harassment/>

<sup>84</sup> <https://www.parliament.nz/en/get-involved/topics/all-current-topics/bill-to-extend-time-available-to-raise-a-personal-grievance-involving-sexual-harassment/>

283. Aotearoa New Zealand law does not specifically “define and prohibit violence and harassment in the world of work” and legislative amendment in a range of areas would be required to align with the convention’s definitions and detailed requirements. For example:

- a) Gender-based violence does not appear to be specifically defined in legislation, although sexual harassment is included in the Employment Relations Act 2000 and crimes of sexual violation and indecent acts are specified in the Crimes Act.
- b) The Crimes Act applies to acts of violence occurring in or out of work but does not specifically define violence or its application to the world of work.

284. The Minister for Workplace Relations and Safety has not made any decisions on progressing ratification of this specific instrument given current work priorities.

#### ADDITIONAL INFORMATION

285. The HRA prohibits discrimination on the grounds of sex or marital/family status (including pregnancy and childbirth), amongst other categories. This applies to both the public and private sectors.

286. ‘Domestic workers’ who are employees are treated in the same way as other employees under Aotearoa New Zealand’s employment law, which applies irrespective of occupation. ‘Home workers’ are considered to be employees under the Employment Relations Act 2000, provided they work within a dwelling house.

287. The government also provides a range of measures targeted at providing financial support to working families, particularly those with lower incomes. These include a range of tax credits available to families through the Working for Families<sup>85</sup> scheme.

288. Under the Parental Leave and Employment Protection Act 1987, up to 52 weeks (including 26 weeks of primary carer leave and 26 weeks of unpaid extended leave) are available to primary carers. Entitlements can be shared with a primary carer’s spouse in part or in full. This scheme is funded by the Government and is available to workers in the public and private sectors. Additionally, the Parental Leave and Employment Protection Act prohibits termination of employment on the basis of pregnancy.

289. Aotearoa New Zealand’s health system is publicly funded and provides free or subsidised healthcare to citizens, permanent residents, and other people on certain classes of visa. Care for pregnant people is free or heavily subsidised (unless the person chooses to use a private healthcare provider) and includes prenatal, childbirth, and postnatal care and hospitalisation care where necessary.

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<sup>85</sup> <https://www.govt.nz/browse/family-and-whanau/financial-help-for-your-family/working-for-families-payments/#:~:text=Get%20help%20with%20the%20costs,your%20income%20for%20the%20year>

## Health

### *Reply to question 17(a)*

290. Abortion was legalised in Aotearoa New Zealand in March 2020. There is no statutory test for abortion before 20 weeks pregnancy and no formal upper time limit for the abortion period. However, there are additional requirements for pregnancy beyond 20 weeks. Pregnant people can self-refer, and counselling is no longer mandatory (but the person must be offered counselling services). Providers who do not wish to provide abortion care must, as soon as possible, tell the person and inform them of where to access abortion care. Conscientious objection provisions are overruled in emergency situations.
291. The new Contraception, Sterilisation, and Abortion (Information Collection) Regulations 2021 came into effect in 2021. Reporting indicates that the rate of abortion has stayed the same, and people are accessing services much earlier.<sup>86</sup>
292. Te Whatu Ora | Health New Zealand (Te Whatu Ora) funds a national abortion telehealth service (DECIDE.org.nz) that acts as a central source of information and support. It also provides access to early medical abortion by phone. This increases access, improves equity, and delivers more choice.
293. The Contraception, Sterilisation, and Abortion (Safe Areas) Amendment Act 2022 enables safe access to relevant services for both pregnant people and health practitioners.
294. The national abortion services work programme has a strong focus on equity. Culturally safe practices, grounded in Te Tiriti, are a current focus, including with the implementation of the New Zealand Aotearoa Abortion Clinical Guideline<sup>87</sup> and Standard for Abortion Counselling in Aotearoa New Zealand.<sup>88</sup>

### *Reply to question 17(b)*

#### **MATERNITY WORKFORCE**

295. Workforce is a key focus of the Interim Government Policy Statement on Health 2022–2024<sup>89</sup> and Te Pae Tata Interim New Zealand Health Plan 2022 (Te Pae Tata).<sup>90</sup>
296. Kahu Taurima | Maternity and Early Years is a priority programme within Te Pae Tata. It will break down the barriers to accessing services, and this approach will integrate primary care, community, and specialist services to improve the quality, safety, and equity of outcomes.

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<sup>86</sup> Early medical abortions now account for 43.8% of all abortions in Aotearoa New Zealand (up 5% from the previous year). The trend for surgical abortion is decreasing and accounted for 53.5% in 2021 (down 5% from the previous year).

<sup>87</sup> <https://www.health.govt.nz/publication/new-zealand-aotearoa-abortion-clinical-guideline>

<sup>88</sup> <https://www.health.govt.nz/publication/standard-abortion-counselling-aotearoa-new-zealand>

<sup>89</sup> <https://www.health.govt.nz/publication/interim-government-policy-statement-health-2022-2024>

<sup>90</sup> <https://www.tewhatauora.govt.nz/publications/te-pae-tata-interim-new-zealand-health-plan-2022/>

297. Kahu Taurima will drive the creation of whānau-centred service delivery through the redesign of maternity and early years services across Aotearoa New Zealand. The programme will increase capacity and capability of Māori and Pacific providers.
298. Te Whatu Ora established a taskforce to develop and prioritise short- to medium-term workforce initiatives and investments, which includes a midwifery working group to examine recruitment and retention barriers.
299. To help attract an internationally trained workforce, nurses, midwives, and mental health professionals have been added to MBIE’s immigration Green List.<sup>91</sup>
300. The Voluntary Bonding Scheme<sup>92</sup> is a financial incentive programme for several health professions, including nurses and midwives, which aims to retain and encourage health professionals to work in needed communities and specialties. The scheme also aims to increase representation of Māori and Pacific peoples within the health workforce.
301. Budget 2020 provided \$35 million over four years to support the Maternity Action Plan (MAP),<sup>93</sup> which includes initiatives to improve maternity quality and safety programmes, workforce sustainability, and family/whānau support.
302. Actions to increase the number of midwives under the MAP include funding to support:
- a) Return to Practice programmes.
  - b) Te Ara o Hine – Tapu Ora, a wrap-around programme supporting Māori and Pacific midwifery students to complete their studies.

## NURSING WORKFORCE

303. Aotearoa New Zealand has 18 schools of nursing, and in 2022, the health system employed a record number of graduating students.
304. The national Nurse Practitioner Training Programme focuses on equity and a national nursing pipeline work programme focuses on improving nursing student experiences and on growing workforce diversity.
305. Manatū Hauora has invested in a general nursing campaign and a Mental Health and Addiction Nursing Campaign<sup>94</sup> to promote nursing and grow the domestic supply of nurses.
306. Manatū Hauora has also allocated \$1 million from the 2021/22 Nursing Accord budget to the Return to Nursing Workforce Support Fund.
307. In 2021, \$10 million of funding was allocated for the Care in the Community Health System Preparedness Programme’s health workforce initiatives and recruitment. One initiative

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<sup>91</sup> <https://www.immigration.govt.nz/new-zealand-visas/preparing-a-visa-application/working-in-nz/qualifications-for-work/green-list-occupations>

<sup>92</sup> <https://www.newdunedinhospital.nz/whats-happening/what-to-expect/for-the-health-workforce/voluntary-bonding-scheme/>

<sup>93</sup> <https://www.tewhatauora.govt.nz/whats-happening/work-underway/maternity/the-maternity-action-plan/>

<sup>94</sup> <https://www.tewhatauora.govt.nz/for-the-health-sector/nursing/nursing-recruitment/>

aimed to support and increase nursing workforce capacity, capability, and resilience within critical care settings.

### *Reply to question 17(c)*

308. Section 7 of the Contraception, Sterilisation, and Abortion Act 1977 notes that, where a person does not have capacity to consent because of their age, no one else can consent on their behalf.
309. Manatū Hauora is exploring a framework to protect the bodily integrity of disabled people from non-consensual, non-urgent, non-therapeutic interventions and procedures, particularly in relation to sterilisation and abortion services. Focus areas include legislative mechanisms, workforce disability training, and data and monitoring of bodily integrity violations for disabled people, including disabled women.
310. When progressing this work, Manatū Hauora will continue to consider the specific needs of wāhine Māori.

### *Reply to question 17(d)*

311. MSD provides the weekly Supported Living Payment for carers who give full-time care at home for someone who has a health condition, injury, or disability (provided this person is not their partner).
312. Budget 2022 committed \$111 million over four years to extend eligibility for paying family carers in publicly funded home support services. This aims to provide people eligible for health and disability support needs with greater choice and control for their care. It also more appropriately values whānau carers.
313. The Carer Support subsidy reimburses some of the costs of care for a disabled person while their carer (including a family carer) takes a break.
314. The New Zealand's Carers' Strategy<sup>95</sup> and Mahi Aroha: Carers' Strategy Action Plan 2019–2023<sup>96</sup> guide Aotearoa New Zealand's work in this area.

## **COVID-19 PANDEMIC**

315. The NZ Carers Alliance (supported by MSD) funded and developed We Care Kiwi,<sup>97</sup> a website to support community participation and connection for carers, including during COVID-19 lockdowns. During the August 2021 national lockdown, the Mahi Aroha Working Group met weekly to discuss and respond to carers' needs.

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<sup>95</sup> <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/policy-development/carers-strategy/>

<sup>96</sup> <https://msd.govt.nz/about-msd-and-our-work/publications-resources/information-releases/mahi-aroha-carers-strategy-action-plan-2019-2023.html>

<sup>97</sup> <https://wecare.kiwi/>

316. The NZ Carers Alliance identified a need for more consistent global messaging about respite for different populations of carers, especially during COVID-19.

## Economic and social benefits and economic empowerment of women

### *Reply to question 18*

317. The Social Security Act 2018 outlines the settings for Aotearoa New Zealand's social security system which does not restrict access to any assistance based on gender. Women are disproportionately represented in some areas of the welfare system, for example payment of Sole Parent Support.
318. The Government has committed to overhauling the welfare system to ensure everyone has a decent standard of living and income to live in dignity and participate in their communities. The Government is committed to ensuring this work is responsive to the needs of all New Zealanders, including women and girls in all their diversity.
319. To progress this, in 2018 the Government established the Welfare Expert Advisory Group<sup>98</sup> (WEAG) to provide recommendations on the future of the welfare system, and in 2019, the Government established a work programme to work towards its vision.
320. Work to date has included a wide range of measures aimed at supporting low- and middle-income families with children, and this has addressed issues that disproportionately impact women and wāhine Māori. Progress includes:
- a) The introduction of the Families Package, which included the Best Start payment for newborn babies and the Winter Energy Payment.
  - b) Increases to main benefit rates and the indexation of main benefit rates to average wage increases.
  - c) More frontline staff to focus on helping more people into work.
  - d) Funding to support access to employment for disabled people and people with health conditions.
  - e) Repeal of Section 192 of the Social Security Act 2018 and the subsequent child policy – two policies that had a negative impact on some sole parent families.
  - f) Increases to special needs grants for immediate and essential dental treatment.
  - g) Increases to income limits for hardship assistance.
  - h) A new housing-related financial assistance programme.
  - i) A review of Childcare Assistance to support low- and middle-income families with childcare costs to enter and/or remain in employment, education, and training. It also

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<sup>98</sup> <https://www.weag.govt.nz/>

seeks to improve the settings from a child wellbeing perspective. Childcare funding included in Budget 2023 is described under question 16(a).



## Climate change and disaster risk reduction

### *Reply to question 19*

321. The Government recognises that risks from climate change and hazards have gender-differentiated impacts, and that women and girls in all their diversity are disproportionately affected. The Government also strongly supports integrating gender perspectives across all levels of climate change work.
322. Internationally, Aotearoa New Zealand has a strong history of female representation on our official delegations to the United Nations Framework Convention on Climate Change and a long-standing practice of gender balance on our delegations.
323. The Government recognises the impact of climate change on women and their families in Tuia te Waka a Kiwa, Aotearoa New Zealand's International Climate Finance Strategy (ICFS).<sup>99</sup> In 2021, the Government expanded Aotearoa New Zealand's climate finance commitment to \$1.3 billion for 2022-2025.
324. The ICFS recognises the need to work inclusively to ensure equity of benefits, including for women, children and families and states that climate finance initiatives will be consistent with existing development action plans, including Aotearoa New Zealand's Gender Action Plan 2021-2025.<sup>100</sup>
325. Domestically, the 2019 amendments to the Climate Change Response Act 2002 set out the process for assessing and understanding the risks posed by climate change and taking action to manage them. The risk of exacerbating inequities (including gender vulnerability) due to differential climate change impacts has been identified as a significant risk.
326. Aotearoa New Zealand's first national adaptation plan<sup>101</sup> contains strategies, policies, and actions to help New Zealanders adapt to the changing climate and identifies specific actions for women. Likewise, New Zealand's Disaster Resilience Strategy<sup>102</sup> focuses on building resilience, especially for those people disproportionately affected by disaster.

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<sup>99</sup> <https://www.mfat.govt.nz/assets/Aid/Climate-finance/International-Climate-Finance-Strategy-At-a-glance-FINAL.pdf>

<sup>100</sup> <https://www.mfat.govt.nz/assets/Peace-Rights-and-Security/International-security/Gender-Action-Plan-2021-2025.pdf>

<sup>101</sup> <https://environment.govt.nz/publications/aotearoa-new-zealands-first-national-adaptation-plan/>

<sup>102</sup> <https://www.civildefence.govt.nz/assets/Uploads/publications/National-Disaster-Resilience-Strategy/National-Disaster-Resilience-Strategy-10-April-2019.pdf>

## Rural women and women living in poverty

### *Reply to question 20*

327. Women continue to play an integral role in rural communities, including in many rural businesses. Many initiatives support the wellbeing and development of rural women. Some specific examples include funding from the Ministry for Primary Industries | Manatū Ahu Matua (MPI) for:

- a) The Pathways into Primary Industries leadership project, alongside the Agri-Women's Development Trust.
- b) The Farming for the Future leaders' programme and the Dairy Women's Network.
- c) The Agri-Women's Development Trust's financial risk management training programme.
- d) An internship programme that includes a rural women-focused pilot, Thriving Farming Women.
- e) Whānau Āwhina | Plunket, to support rural wellbeing through a range of family-support focused initiatives.

### **SUPPORTING REGIONAL GROWTH**

328. The Government wants to make regions' economies stronger and more resilient to improve the economic prospects and wellbeing of all New Zealanders.

329. In 2018, the Government created the Provincial Growth Fund<sup>103</sup> (PGF), through which \$3.05 billion dollars was allocated to regional economic development. Objectives of the PGF included job creation and increasing social inclusion and participation.

330. The Regional Strategic Partnership Fund<sup>104</sup> established in 2021, is a \$200 million fund to help regions achieve their economic potential, using tailored approaches to build more productive, sustainable, and Māori-enabling regional economies.

### **CONNECTIVITY**

331. In the last 12 years, Government investment in rural internet infrastructure improvements has totalled more than \$770 million.

332. Under the Rural Broadband Initiative, 84,000 rural homes and businesses will receive improved broadband. Additionally, two further rural broadband capacity upgrade programmes, announced in 2022, are expected to benefit an additional 43,000 and 26,000 rural homes and businesses respectively.

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<sup>103</sup> <https://www.growregions.govt.nz/established-funds/what-we-have-funded/the-provincial-growth-fund/>

<sup>104</sup> <https://www.growregions.govt.nz/new-funding/the-regional-strategic-partnership-fund/>

333. The Government has also allocated \$15 million to a Remote Users Scheme<sup>105</sup> to provide digital options for an estimated 5,200 rural households.
334. Provision has also been made for an extension of the Marae Digital Connectivity <sup>106</sup> programme, through which marae (meeting grounds) are provided with internet connections, hardware, and technical support.

## HOUSING

335. Current government housing initiatives benefit women across Aotearoa New Zealand.
336. Public housing is a critical part of the Government's strategy to provide people in need with a warm, dry place to live as part of broader social support and wellbeing. We know that women are disproportionately supported by public housing. 34% of applicants on the Housing Register in June 2022 were sole parents (majority of whom are typically women), compared with around 13% in the general population.
337. The Government has committed to adding over 17,050 public housing places and nearly 4,000 transitional housing places by 2025. Since 2017, over 9,000 public housing places and 5,000 transitional housing places have been added.
338. The Government has developed a range of complementary programmes to respond to the diversity of housing needs across Aotearoa New Zealand, such as the Affordable Housing Fund, First Home Products, Build-to-rent, and KiwiBuild.
339. MPP collaborated with Kāinga Ora and the Te Tūāpapa Kura Kāinga | Ministry of Housing and Urban Development (HUD) to create the Fale mo Aiga Pacific Housing Strategy and Action Plan 2030<sup>107</sup> aimed at addressing socioeconomic and home ownership inequities experienced by Pacific peoples, including Pacific women.
340. In 2020, provisions were added to the Residential Tenancies Act 1986 to enable tenants experiencing family violence to leave a tenancy with two days' notice to seek safety. This took effect from December 2022 and regulations ensure accessible and culturally appropriate evidence requirements for victims of family violence, including for rural women who may face more or different barriers to leaving unsafe living situations. HUD officials consulted with Rural Women NZ<sup>108</sup> on the regulations.

## FAMILY VIOLENCE AND SEXUAL VIOLENCE

341. Rural and isolated communities were consulted and are included in actions in Te Aorerekura.

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<sup>105</sup> <https://www.crowninfrastructure.govt.nz/rural/rus/>

<sup>106</sup> <https://www.tpk.govt.nz/en/nga-putea-me-nga-ratonga/marae/marae-digital-connectivity>

<sup>107</sup> [https://www.mpp.govt.nz/assets/Resources/Housing/Fale-mo-Aiga-Booklet-7\\_0.pdf](https://www.mpp.govt.nz/assets/Resources/Housing/Fale-mo-Aiga-Booklet-7_0.pdf)

<sup>108</sup> <https://ruralwomennz.nz/>

342. MSD supports family violence services for women experiencing violence, including those in rural locations. Some of these services include Māori refuges operating under Te Ao Māori frameworks.
343. In 2022, MSD (in partnership with NGOs), formally launched a suite of digital tools to provide nationwide 24/7 access to online services to support people affected by family violence. The [www.areyouok.org.nz](https://www.areyouok.org.nz) website<sup>109</sup> is focused on meeting the needs of victim-survivors. It includes a service finder tool to help locate family violence services and can help support women in remote locations.
344. MSD also funds Heartland Services,<sup>110</sup> which improves access to Government and NGO services support for people in rural, provincial, and other isolated communities.
345. In addition, the Whānau Centred Facilitation Initiative, led by Te Puni Kōkiri, funds kaupapa Māori providers to strengthen and restore healthy, safe, and functional whānau relations for whānau experiencing family violence and sexual violence.

## HEALTHCARE

346. A key priority of the health and disability system reforms is improving healthcare access for rural communities. The Pae Ora (Healthy Futures) Act 2022 requires the development of a rural health strategy to improve rural health outcomes.
347. Rural health is also a key focus within the interim health plan, Te Pae Tata. This work will consider ways to address distance and transport as access barriers to health services for rural people.
348. One early action is the development of a rural telehealth initiative to support rural access to after-hours primary health services.
349. The shift to a locality approach offers a new way of delivering integrated primary and community health services tailored to the needs of local populations, with improved partnerships with communities.
350. Te Whatu Ora National Immunisation Programme continues to engage with districts across the country to address challenges relating to COVID-19 vaccination uptake within rural communities. This includes increasing the number of providers offering vaccination, establishing outreach/mobile clinics, and supporting community-led initiatives.
351. The National Cervical Screening Programme<sup>111</sup> is implementing human papilloma virus primary screening, self-testing, and system upgrades. This investment will improve the quality, safety, and effectiveness of the programme and help address current equity gaps.

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<sup>109</sup> <https://www.areyouok.org.nz/support-available/>

<sup>110</sup> <https://www.heartlandservices.govt.nz/>

<sup>111</sup> <https://www.nsu.govt.nz/health-professionals/national-cervical-screening-programme>

352. The national abortion telehealth service, DECIDE,<sup>112</sup> will deliver improved and more flexible access to abortion information and services for many women, including those in rural communities.

353. Rural areas of Aotearoa New Zealand are experiencing a range of workforce shortages including midwives, which reflects both national and global maternity service trends. Budget 2020 specifically allocated funding to increase remuneration for maternity services provided to women living in rural areas.

#### ALLEVIATING HARDSHIP

354. As described above under the reply to question 18, the Government has committed to overhauling the welfare system, with equity across the system a key focus.

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<sup>112</sup> <https://www.decide.org.nz/>

## Wāhine Māori and women belonging to ethnic minority groups

### *Reply to question 21(a)*

355. Following a visit to Aotearoa in 2019, the Expert Mechanism on the Rights of Indigenous Peoples<sup>113</sup> provided guidelines on the development of a plan to implement the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration plan) and the requirement to address the needs of indigenous elders, women, children, youth, disabled people, and those from Rainbow communities.

356. Between 2021 and 2022, Te Puni Kōkiri, in partnership with the New Zealand Human Rights Commission and the National Iwi Chairs Forum (a national tribal organisation), engaged with Indigenous communities on their aspirations for a Declaration plan. A key theme was that government should share its power and support Māori involvement in decision making on issues that impact Māori.

357. In December 2022, the Government deferred a draft Declaration plan until 2024 and focussed on building awareness and understanding of the Declaration and Indigenous rights in 2023. It is essential that all communities have a good understanding of Indigenous rights and how Aotearoa New Zealand's Declaration plan can deliver beneficial outcomes.

### *Reply to question 21(b)*

358. The Government recognises the compounding impacts of multiple and intersecting forms of discrimination in the lives of women and girls in Aotearoa New Zealand. Efforts to address discrimination for wāhine Māori, Pacific women, and other women of ethnic minority groups encompasses a broad range of work across government, examples of which are provided below.

359. At a high level, Te Puni Kōkiri, MPP, and MEC are dedicated central government agencies focused on improving outcomes for Māori, Pacific, and other ethnic communities, with programmes of work underway that impact positively on women and girls.

360. Mānatu Wāhine works to drive progress for woman and girls in all their diversity. Mānatu Wāhine has four strategic outcomes, all of which include a focus on improving outcomes for wāhine Māori.<sup>114</sup>

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<sup>113</sup> For more details, see the Expert Mechanisms webpage on the Rights of Indigenous Peoples on the United Nations website at: <https://www.ohchr.org/en/hrc-subsiadiaries/expert-mechanism-on-indigenous-peoples>

<sup>114</sup> <https://women.govt.nz/about>

## WĀHINE MĀORI

361. Wāhine Māori influence and lead powerful legacy movements that have changed, and continue to change, the face of mainstream society in Aotearoa and beyond. Such legacies include the role of wāhine Māori in the women's suffrage movement, Kotahitanga (Māori Parliament), Kōhanga Reo and Kura Kaupapa Māori (Māori-language immersion schools). Wāhine Māori are the centre of iwi, marae, community and whānau kaupapa. They are Rangatira (leaders) in personal, professional, and vocational fields across Aotearoa.
362. Wāhine Māori play a unique role in the retention and protection of whenua Māori (Māori land). However, with whānau Māori still recovering from the many breaches of these rights following the alienation of tangata whenua (Indigenous People of the Land) from most of their whenua (land), it is critical that the rights and interests of tangata whenua (including wāhine Māori) are being prioritised.
363. Te Puni Kōkiri leads a number of initiatives, such as the Whenua Advisory Service, the Whenua Māori Fund, and the Te Ture Whenua Māori Act reform, to combat the intersecting forms of discrimination against Māori landowners.

### *National Curriculum*

364. The National Curriculum for schooling is being revised to make explicit the expectation that the teaching and learning of Aotearoa New Zealand's Histories or Te Takanga o Te Wā (for Māori-medium settings) will be part of the local curriculum in every school and kura, so that learners develop the knowledge and understanding of the people, places, events, influence and forces that have shaped Aotearoa New Zealand historically through to the present day.

### *Whānau Ora*

365. Whānau Ora<sup>115</sup> improves the wellbeing of whānau as a group while addressing individual needs, using a culturally grounded and holistic approach. It puts whānau at the centre of decision making about their wellbeing and supports them to identify and achieve their goals. Whānau-centred approaches build thriving whānau, hapū, iwi and communities. As part of Budget 2023, the Whānau Ora Ngā Tini Whetū programme will be extended to support pregnant mothers, and babies and their whānau during their first 1000 days.

### *Te Mahere Wahi Mahi Māori - the Māori Employment Action Plan (MEAP)*

366. The Māori Employment Action Plan (discussed under the section on Employment) sets out a range of actions aimed at improving labour market outcomes for Māori, including wāhine

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<sup>115</sup> <https://www.tpk.govt.nz/en/nga-putea-me-nga-ratonga/whanau-ora>

Māori. Immediate actions that benefit wāhine Māori include researching barriers and incentives to flexible work and how to make workplaces more inclusive.

#### *Mana Wāhine Kaupapa Inquiry*

367. In 2018, the Waitangi Tribunal formally initiated the Mana Wāhine Kaupapa Inquiry (the Inquiry)<sup>116</sup> into claims alleging prejudice to wāhine Māori arising from Crown breaches of Te Tiriti o Waitangi in both historical (pre-September 1992) and contemporary times.

368. The Inquiry concerns a range of claims centred on the loss of wāhine rangatiratanga, and social, economic, environmental, and cultural prejudices that have occurred as a result. In 2020, the tribunal grouped the multiple issues detailed in the claims into three main themes of:

- a) Protection of the role, status, and knowledge of wāhine Māori.
- b) Equity and disparities in outcomes and wellbeing for wāhine Māori.
- c) Representation and access to leadership, governance, and decision-making roles for wāhine Māori.

369. Manatū Wāhine and Te Puni Kōkiri are leading the Government's response to the Inquiry. Manatū Wāhine also chairs a cross-government working group focused on identifying opportunities to address the issues raised through the claims process.

#### *Manatū Wāhine Ministry for Women*

370. Other relevant mahi being progressed by Manatū Wāhine includes:

- a) Profiling and maintaining oversight of labour market outcomes for diverse groups of women, including wāhine Māori, to provide gendered evidence and advice and inform policy development and strategies.
- b) Putting more wāhine Māori forward for leadership roles through the Manatū Wāhine Nominations Service.
- c) Contributing to implementing Te Aorerekura and leading work on wāhine Māori leadership succession.
- d) Collating a wāhine Māori data stocktake<sup>117</sup> of current government data sources relevant to wāhine Māori across ten kaupapa (subject matter).
- e) Ensuring the voices and values of wāhine Māori are represented and reflected at a global level as part of our international engagements.

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<sup>116</sup> <https://www.waitangitribunal.govt.nz/inquiries/kaupapa-inquiries/mana-wahine-kaupapa-inquiry/>

<sup>117</sup> <https://women.govt.nz/library/wahine-maori-data-stocktake-2022>



## PACIFIC WOMEN

371. Since 2021, MPP has been delivering the Pacific Aotearoa Community Outreach<sup>118</sup> initiative to build the resilience of Pacific communities, in particular, to improve access to health and social services. The initiative included extensive community engagements.
372. In 2022, MPP launched the all-of-government Pacific Wellbeing Strategy<sup>119</sup> (PWS). The PWS includes the following key priority populations identified for support: Pacific women; Pacific disabled people; Pacific children and youth; Pacific Rainbow+; and Realm communities.
373. As part of Budget 2023, MPP will receive \$13.315m for the continued implementation of the Pacific Languages Strategy.<sup>120</sup> Research shows that Pacific young people who are strong in their language and culture are more resilient mentally, academically, and economically. These cultural contributors will impact the individual and collective wellbeing of Pacific people, including Pacific women.

## ETHNIC COMMUNITIES

374. Former refugee and migrant women are supported by Aotearoa New Zealand's Migrant Settlement Integration and Refugee Resettlement strategies<sup>121</sup> to make Aotearoa New Zealand their home and participate fully in and contribute to all aspects of New Zealand life. Both strategies are currently being refreshed.
375. MEC supports the wellbeing and development of pan-ethnic women in Aotearoa New Zealand, including through support for the establishment of the Manawaka Ao | Women of Colour Network,<sup>122</sup> which aims to create a safe space for ethnic women to network.
376. MEC has also supported the Women2Women project, established in Christchurch in response to the 2019 terrorist attack on Christchurch masjid. Information sessions have been held around the themes of wellbeing (including prevention of sexual violence and family harm), employment, and media.

## SOCIAL COHESION WORK PROGRAMME

377. This MSD work programme aims to strengthen social cohesion in Aotearoa New Zealand and build a safer, connected and more inclusive society. This is part of the wider response to recommendations from the Royal Commission of Inquiry into the terrorist attack on Christchurch masjid in 2019.

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<sup>118</sup> <https://www.mpp.govt.nz/programmes/pacific-aotearoa-community-outreach/>

<sup>119</sup> <https://www.mpp.govt.nz/programmes/all-of-government-pacific-wellbeing-strategy/>

<sup>120</sup> <https://www.mpp.govt.nz/programmes/the-pacific-languages-strategy-2022-2032/>

<sup>121</sup> <https://www.immigration.govt.nz/about-us/what-we-do/our-strategies-and-projects>

<sup>122</sup> <https://www.ethniccommunities.govt.nz/community-directory/show/1168>

378. MSD engaged with over 600 diverse stakeholders across the country to develop a package of tools and resources to foster social cohesion. Key products within this package are strategic and measurement frameworks. The strategic framework notes six focus areas for action including ‘tackling all forms of discrimination’ and ‘ensuring equitable access to key determinants of wellbeing for all’. The measurement framework includes gender, gender identity, and sex as subgroups.

## NATIONAL PLAN OF ACTION AGAINST RACISM

379. MoJ is leading the development of Aotearoa New Zealand’s first national action plan against racism, in partnership with the National Iwi Chairs Forum. The plan aims to eliminate racism at all levels of society. It will set concrete steps for the government to take and provide guidance for communities, businesses, and institutions to support their own solutions. MoJ completed initial engagement on the plan in 2022 and is working to develop draft actions for the plan.

## HEALTHCARE

380. Aotearoa New Zealand’s health system is in the process of a major reform. Giving effect to Te Tiriti, reducing inequities, and ensuring access to adequate health care for all New Zealanders are key focuses of the reform. There is a suite of initiatives aimed at achieving equitable outcomes for Māori, including greater self-determination, Māori leadership, and mātauranga Māori solutions. These are fundamental to eliminating discrimination against wāhine Māori.

381. Pae Ora (Healthy Futures) Act 2022 (the Pae Ora Act) sets out the principles of equity as being to:

- a) Ensure the health system is equitable in relation to access and outcomes achieved.
- b) Engage with Māori and other population groups.
- c) Provide opportunities for Māori to exercise decision-making authority.
- d) Provide choices of services for Māori and other population groups.
- e) Protect and promote people’s health and wellbeing.

382. Manatū Hauora has established Ao Mai te Rā: the Anti-Racism Kaupapa<sup>123</sup> (Ao Mai te Rā), a specific programme of work to support the way the health system understands, reacts, and responds to racism in health. Ao Mai te Rā recognises health outcomes can be further compounded by additional social markers of difference, including gender, disability, and sexual orientation.

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<sup>123</sup> <https://www.health.govt.nz/our-work/populations/maori-health/ao-mai-te-ra-anti-racism-kaupapa>

383. The Women’s Health Strategy is also being developed and is expected to include a focus on equity and addressing gender bias and other intersecting forms of discrimination.<sup>124</sup>
384. Manatū Hauora notes that a lack of disaggregated data, including in the delivery of contraception, makes it hard to monitor health system performance for groups of women, including wāhine Māori.
385. In developing the Health of Disabled People Strategy, Manatū Hauora will consider the specific needs of disabled women. Under the Disability Action Plan 2019–2023,<sup>125</sup> Manatū Hauora is also progressing a work programme to improve access to health services for disabled people, including disabled women.

## EDUCATION

386. Work is underway to achieve an inclusive and equitable education system. Some of the key ways this is being progressed include:
- a) Refreshing Ka Hikitia – Ka Hāpaitia | The Māori Education Strategy<sup>126</sup> and redesigning Te Marautanga o Aotearoa,<sup>127</sup> the curriculum used in Māori-medium schools.
  - b) Launching Te Hurihanganui,<sup>128</sup> a programme which addresses racism and bias, strengthens equity, and accelerates educational achievement and wellbeing of Māori ākonga (learners).
  - c) Refreshing the Action Plan for Pacific Education 2020–2030.<sup>129</sup>

### *Reply to question 21(c)*

387. The government is committed to safely reducing the prison population and addressing the over-representation of Māori in the justice system. This requires a gendered, culturally responsive and evidence informed approach to managing women prisoners and reducing reoffending.
388. As part of implementing the United Nation Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Rules), Corrections has made a number of changes as described in the sections below.

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<sup>124</sup> [www.health.govt.nz/new-zealand-health-system/setting-direction-our-new-health-system/health-strategies-all-new-zealanders/womens-health-strategy](http://www.health.govt.nz/new-zealand-health-system/setting-direction-our-new-health-system/health-strategies-all-new-zealanders/womens-health-strategy)

<sup>125</sup> [www.odi.govt.nz/disability-action-plan-2/](http://www.odi.govt.nz/disability-action-plan-2/)

<sup>126</sup> <https://www.education.govt.nz/our-work/overall-strategies-and-policies/ka-hikitia-ka-hapaitia/>

<sup>127</sup> <https://tmoa.tki.org.nz/Te-Marautanga-o-Aotearoa>

<sup>128</sup> <https://www.education.govt.nz/our-work/overall-strategies-and-policies/te-hurihanganui/>

<sup>129</sup> [https://conversation-space.s3-ap-southeast-2.amazonaws.com/Pacific+Education+Plan\\_WEB.PDF](https://conversation-space.s3-ap-southeast-2.amazonaws.com/Pacific+Education+Plan_WEB.PDF)

### *Young people who offend*

389. Following changes to the Oranga Tamariki Act 1989 in 2019, young people under the age of 18 who offend are primarily managed in the Youth Justice jurisdiction. However, provisions remain which allow for a young person to be held in a Corrections facility if they are a risk to themselves or other young people within a Youth Justice Residence.
390. Such young people are jointly managed by Oranga Tamariki and Corrections and are often provided extra support dependent on their age and stage of development.
391. In the rare occasions that Corrections has young females in prison, they have access to the same education, programmes, and healthcare as adult prisoners (Rules 37-39), and safe placements are ensured (Rule 36).

### *Women's Strategy*

392. In 2021, Corrections updated and released the second iteration of Wāhine – E rere ana ki te pae hou: Women's Strategy 2021–2025 (the Women's Strategy).<sup>130</sup> The strategy has four focus areas:
- a) Tautoko<sup>131</sup>: gender informed and culturally responsive programmes, policies, and interventions.
  - b) Holistic approaches, with individualised pathways to meet women's needs.
  - c) Whānau and whanaungatanga: relational approaches, with whānau brought along the journey.
  - d) Reclaim and restore - pathways of care informed by trauma and enhancing mana.
393. Body scanners have been installed in two of three women's prisons to reduce the need for strip searching which is less intrusive and promotes dignity and wellbeing for both people in prison and staff (Rule 20).
394. Further measures of note include:
- a) Employment, education, and rehabilitation and reintegration programmes and services across all three women's prisons.
  - b) Social workers, counsellors, and mental health professionals available, including dedicated Psychological Services Teams at Christchurch Women's Prison and Auckland Regional Women's Corrections Facility.
  - c) The Kowhiritanga programme (group-based rehabilitation for women).
  - d) Fitness and wellbeing trainers to support women's mental and physical health.

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<sup>130</sup> [https://www.corrections.govt.nz/\\_data/assets/pdf\\_file/0004/44644/Corrections\\_Wahine\\_-\\_E\\_rere\\_ana\\_ki\\_te\\_pae\\_hou\\_2021\\_-\\_2025.pdf](https://www.corrections.govt.nz/_data/assets/pdf_file/0004/44644/Corrections_Wahine_-_E_rere_ana_ki_te_pae_hou_2021_-_2025.pdf)

<sup>131</sup> To support, prop up, verify, advocate.

- e) A number of women’s supported accommodation services to support reintegration (including Te Waireka in Hawke’s Bay, a kaupapa Māori service).
- f) A bail house for women in Hamilton.

#### *Te Mana Wāhine Pathway*

395. Te Mana Wāhine Pathway<sup>132</sup> is a specific kaupapa Māori rehabilitation pathway for wāhine Māori in Christchurch Women’s Prison. This includes:

- a) An operating model centred around whānau and whakapapa (genealogy).
- b) Culturally appropriate spaces for women and their whānau.
- c) Increased cultural practice for frontline staff.
- d) Kaupapa Māori accommodation services.

#### *Women’s Prison Network Improvement Programme*

396. Corrections implemented a programme of work across women’s prisons in 2021-2022. This included:

- a) A review of maximum security for women.
- b) A focus on providing support, training, and assurance, particularly around the use of force, directed segregation, and separated cells, as well as management plans and event-based searches.
- c) Upgrading the visit areas in two women’s prisons.

This work is continuing under the Women’s Strategy.

#### *Alternatives to detention*

397. As part of the Hōkai Rangi: Ara Poutama Aotearoa Strategy 2019–2024,<sup>133</sup> Corrections is undertaking research around how to keep youth and wāhine Māori out of prison. Supporting wāhine Māori to gain and maintain bail is likely to be the most effective way to further reduce the number of women in custody.

398. Wāhine Bail Support Officers support the three women’s prison facilities, helping wāhine Māori access and maintain bail in a timely manner. Corrections is also exploring options for the future of women’s reintegration services to better meet women’s needs.

399. In 2020, He Kete Oranga O te Mana Wāhine<sup>134</sup> increased its services to 11 beds. This gender-responsive programme is an alternative to custodial settings and means that women can access substance use support in an environment connected with their children and whānau.

<sup>132</sup> [https://www.corrections.govt.nz/news/2021/maori\\_pathways\\_for\\_wahine](https://www.corrections.govt.nz/news/2021/maori_pathways_for_wahine)

<sup>133</sup> [https://www.corrections.govt.nz/\\_data/assets/pdf\\_file/0003/38244/Hokai\\_Rangi\\_Strategy.pdf](https://www.corrections.govt.nz/_data/assets/pdf_file/0003/38244/Hokai_Rangi_Strategy.pdf)

<sup>134</sup> Residential drug and alcohol centre for women.

### *Antenatal and post-natal support*

400. Mitigating the impact of detention on children and whānau and encouraging women to grow healthy relationships is an essential component of the Women's Strategy. All three women's prisons have self-care units for mothers with babies.
401. In 2022, operational guidance for Mothers with Babies Units (MBU) was improved, including guidance for situations where children are separated from their mothers (Rule 51).
402. Any incarcerated woman can apply to enter a MBU if she is pregnant or has a child under the age of 24 months that she normally cares for in the community. Decisions are made in the best interest of the child (Rule 49). Children have access to health services within the community to aid in their wellbeing and development (Rule 51). There are also feeding and bonding facilities available for women who do not have their children in prison with them.
403. Pregnant prisoners are placed in accommodation with unrestricted access to toilet and sanitary facilities and have a specific pregnancy diet (Rule 48). All pregnant women are referred to a local lead maternity carer or specialist who coordinate maternity and postnatal care.
404. When pregnant women are being escorted on pregnancy or birth-related matters, at least one of the escorting officers must be a woman. Escorting staff must not remain in the hospital room unless the mother has given approval, health professionals request they remain, or the risk of escape is unacceptably high. Mechanical restraints are not used on women on escort who are 30+ weeks pregnant, are in labour, or who remain in hospital with their baby after giving birth (Rule 24).
405. Women are supported to observe their cultural practices during labour and after birth, provided there is no risk of escape or other identified risk.

## Migrant women

### *Reply to question 22(a)*

406. In June 2021, Immigration New Zealand (INZ) commissioned an independent review to examine operational practices relating to the potential detention of asylum seekers. INZ accepted all resulting recommendations.
407. INZ established a panel to consider any recommendations to detain an asylum seeker or restrict their movement in the limited cases where there is an identifiable risk that cannot be managed appropriately in another way.
408. Decisions made by this panel are consistent with the United Nations High Commissioner for Refugees detention guidelines. Any referrals or recommendations to the panel must be accompanied by additional information regarding the person's relevant personal circumstances. This may include experiences of trauma or violence, whether there are children involved, the claimant's gender identity, or whether they are elderly, pregnant, or have a disability.
409. INZ has also:
- a) Established working groups to ensure recommendations are implemented and explore options to give claimants better access to support to progress their claims.
  - b) Explored how to support asylum seekers when they are held in short-term detention.

### *Reply to question 22(b)*

410. The Minister of Immigration (or delegated officials) can make decisions on a discretionary basis, and the rights of the child are a paramount consideration.
411. MBIE has completed the first phase of the Victims of Family Violence (VFV) Visa review, resulting in changes to the VFV Work Visa, expanding eligibility to partners of temporary migrants. MBIE is currently scoping the second phase of the VFV Visa review, which will look at immigration settings as well as wider support settings for migrant victims of family violence.
412. MBIE will also conduct a broader review of partnership and family immigration settings in late-2023. It will consider how settings can be culturally appropriate and represent international best practice.

## *Reply to question 22(c)*

### **SUPPORT FOR VICTIMS OF VIOLENCE**

413. MSD supports family violence services for women in all their diversity in Aotearoa New Zealand. A range of funded NGOs provide culturally competent support and refuge services for women, children, and families who are affected by family violence.
414. Research is underway to understand how the online tools and services described under question 20 might be further improved for ethnic communities, including people from former refugee or migrant backgrounds.
415. The E Tū Whānau primary prevention work programme was expanded in 2013 to include work with former refugee and migrant communities.
416. MSD also received funding through Budget 2022 to support the development of a new Ethnic Communities Violence Prevention work programme.

### **MIGRANT EXPLOITATION AND SUPPORT**

417. In 2021, the Government implemented a series of measures to protect victims of (and prevent) exploitation, forced labour, and people trafficking. These include the new Migrant Exploitation Protection Work Visa, strengthened labour exploitation reporting channels, and \$8.8 million over the last three years in additional funding for the Aotearoa New Zealand Labour Inspectorate. The Government has begun work on draft legislation – the Worker Protection (Migrant and Other Employees) Bill – to further address migrant worker exploitation.
418. Three principal liaison advisors were established at MBIE in 2021 to support survivors of migrant exploitation during the investigation of exploitation allegations. This support includes facilitating contact with accommodation and welfare support providers, as well as supporting survivors through the visa process and any resulting court cases.
419. In 2022, the ongoing review of the Recognised Seasonal Employer (RSE) scheme recommenced, and high-level policy decisions will be made in June 2023. The review aims to improve both the function of the RSE system and the standards of worker wellbeing, with policy changes to protect worker rights, dignity, and agency. MBIE acknowledges the valuable work done by the HRC in this area.

### **LEGAL AND VICTIM SUPPORT**

420. Relevant improvements in the availability of, and access to, legal aid services have included:
- a) Increasing the number of legal aid lawyers with experience in Immigration and Protection Tribunal matters that can be assigned warrant of commitment (WoC) cases.



- b) Reviewing the operational granting policy and making changes to increase the number of hours granted to legal aid lawyers for these matters.
- c) Developing a list of legal aid lawyers willing to act on an urgent basis for unrepresented clients in WoC matters.

421. As outlined in the reply to question 11(e), since 2019, Victim Support has been providing victims of the Christchurch masjid attacks with a range of psychosocial and financial supports.

## Marriage and family relations

### *Reply to question 23*

#### **IMPLEMENTATION OF FAMILY JUSTICE REFORMS**

422. The family justice system supports children, parents, families and whānau through significant times in their lives. This includes complex and distressing cases that involve family violence. Research shows that survivors of family violence can face barriers in engaging with the family justice system.

423. In response to the recommendations made by the Independent Panel in Te Korowai Ture ā-Whānau, the Government currently has a multi-year work programme underway to transform the family justice system. This work programme includes:

- a) Reinstating legal representation in the early stages of proceedings in the Family Court.
- b) Rolling out inclusive and accessible information on navigating the family justice system.
- c) Establishing a new role of Kaiārahi – Family Court Navigator to help parents and whānau navigate the family justice system.
- d) Establishing a new role, the Family Court Associate, to enable faster resolution of disputes.
- e) Implementing the Family Court (Supporting Children in Court) Legislation Act, which reinforces expectations that people should be protected from family violence.

#### **ADDRESSING FAMILY VIOLENCE AND SEXUAL VIOLENCE**

424. In 2018, the Government reformed Aotearoa New Zealand’s family violence legislation. The Family Violence Act 2018 and Family Violence (Amendments) Act 2018 came into force on 1 July 2019. Among other measures, these Acts introduced family violence leave and other allowances for employees experiencing violence.

425. MoJ has a multi-year work programme underway to improve the court experience for people affected by family violence and sexual violence. Improvements include:

- a) Work on minimum service standards for participants in family and/or sexual violence proceedings.
- b) Foundational training for the court-related workforce to ensure they can deliver safe and appropriate responses.

426. In April 2023, the Government announced a new package of reforms aimed at providing better outcomes for victims of family violence and sexual violence, focused on three areas:

- a) Sexual violence against children.
- b) Litigation abuse in family proceedings.
- c) Giving greater choice to victims of sexual violence around name suppression decisions.

#### CAPACITY OF JUDGES AND OTHER PROFESSIONALS

427. See the reply to question 3.

#### *Reply to question 24(a)*

428. Victims of family violence are exempt from participating in mediation. This is provided for in section 12 of the Family Dispute Resolution Act 2013.

#### *Reply to question 24(b)*

429. The Care of Children Act 2004 sets out the law relating to guardianship and the day-to-day care of children and specifies a child's safety must be protected from all forms of violence.

430. The Act also specifies that the court must consider protection orders made under the Family Violence Act 2018, convictions for family violence offences, or relevant safety concerns.

431. Family Dispute Resolution is not mandatory if one of the parties has been subject to family violence by other parties.

#### *Reply to question 24(c)*

432. Aotearoa New Zealand's family laws do not refer to parental alienation syndrome theory. The Government understands the theory has been widely discredited.

433. The Ministry of Justice has a multi-year work programme underway to promote a better understanding of the impacts of family violence on the people affected and improve their experience in the courts.

434. The judiciary and legal profession are also providing training to improve practice related to family violence, including information and training for lawyers on family violence dynamics. Te Kura's curriculum includes programmes on family violence and sexual violence in the context of judicial function.

## Additional information

### *Reply to question 25*

#### **INTEGRATING A GENDER PERSPECTIVE INTO THE SUSTAINABLE DEVELOPMENT GOALS (SDGS)**

435. Aotearoa New Zealand is contributing to achieving the 2030 Agenda for Sustainable Development and the SDGs through a combination of domestic action, international leadership on global issues, and support for developing countries.
436. In 2019, Aotearoa New Zealand submitted a voluntary national review on the implementation of the SDGs.<sup>135</sup>
437. Aotearoa New Zealand recognises that goal 5 (gender equality) is a key human rights priority and crucial to sustainable development.
438. Goal 5 contributes to other SDGs such as gender disparities in education (Goal 4), standards of living (Goal 8) and climate change impacts (Goal 13).

#### *Gender Action Plan*

439. The Gender Action Plan 2021–25<sup>136</sup> commits Aotearoa New Zealand to advancing gender equality and women’s empowerment through targeted gender mainstreaming and investments across the International Development Cooperation programme,<sup>137</sup> alongside the SDGs.

#### *International leadership on global issues*

440. Under Aotearoa New Zealand’s International Human Rights Action Plan 2019 – 2023 (IHR Action Plan),<sup>138</sup> gender equality and women’s empowerment are a leadership priority. Internationally, Aotearoa New Zealand’s focus includes supporting efforts to eliminate violence and discrimination, improve education and health outcomes, protect sexual and reproductive health and rights, and promote leadership and political participation. This is also a core focus of Aotearoa New Zealand’s development program.
441. Aotearoa New Zealand works closely with other UN member states in negotiations to secure progressive language and safeguard existing agreed language on gender equality and women’s rights.

#### *Sexual Orientation, Gender Identity and Sex Expression and Characteristics (SOGISEC)*

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<sup>135</sup> <https://www.mfat.govt.nz/assets/Peace-Rights-and-Security/Our-work-with-the-UN/Sustainable-Development-Goals/New-Zealand-Voluntary-National-Review-2019-Final.pdf>

<sup>136</sup> <https://www.mfat.govt.nz/assets/Peace-Rights-and-Security/International-security/Gender-Action-Plan-2021-2025.pdf>

<sup>137</sup> <https://www.mfat.govt.nz/assets/Aid-Prog-docs/Policy/New-Zealands-International-Development-Cooperation-2020-21.pdf>

<sup>138</sup> <https://www.mfat.govt.nz/assets/Peace-Rights-and-Security/Human-rights/NZ-Human-Rights-Action-Plan.pdf>

442. Aotearoa New Zealand is committed to providing global leadership on SOGISEC issues under the IHR Action Plan. We focus on supporting initiatives to address discrimination and encourage progress across social, cultural, and legal spheres in the face of increasingly conservative global trends.

## **APPENDIX I: VOICES OF AOTEAROA NEW ZEALAND WOMEN**

Between 2017 and 2022, Manatū Wāhine conducted a range of meetings throughout Aotearoa New Zealand, including the public consultation on the draft ninth periodic CEDAW report (discussed in the main report). Recurring high-level themes and concerns from these engagements are summarised below.

### **Employment, skills, and financial security**

- Employment should be safe, inclusive, and free from discrimination.
- Financial security impacts access to health, housing, education, and general wellbeing.
- Address gender pay gaps, underemployment, and occupational segregation to support women to have long term financial security and independence.
- High-quality, flexible, and part-time work should be available and paid parental leave should be improved, including for both parents.
- Women and women-owned businesses need access to appropriate and accessible training and funding, including around digital and technology needs.
- Support is needed around the transition between unpaid and paid work.
- Childcare needs to be affordable, accessible, culturally appropriate, and available at the right time.
- Women want to be recognised for the unpaid work they do, including in the care economy and in their communities.
- Wāhine Māori, Pacific women, and ethnic women want their cultural knowledge and expertise to be protected, valued, and recognised.

### **Leadership, representation, and visibility**

- Women want leadership, governance and decision-making roles and their diversity to be positively represented. This is particularly an issue in the private sector.
- Women want to be valued, respected, and included.

### **Discrimination, violence, and safety**

- Limiting gender norms and societal attitudes persist. This can impact different aspects of women's lives, including for women in public life who experience online harm.
- Women can experience multiple and compounding forms of discrimination on the basis of their ethnicity, disability, age, rainbow identity, or gender across all settings.
- Women continue to experience disproportionate levels of family violence and sexual violence and express fear of bullying, violence, and hate speech. This is compounded for women facing intersecting forms of discrimination.

- Women want to be listened to and to feel and be safe in all spaces and places; including at home, work, school and online.
- Migrant sex workers can experience discrimination and risk of deportation because they cannot work legally.
- Rainbow people are not clearly protected from discrimination for their gender and sex characteristics.

### **Housing, health, and wellbeing**

- Some women do not have their basic needs met such as access to housing or food.
- Homelessness and poor housing significantly impact wellbeing. Housing should be accessible, affordable, warm, and dry.
- Wellbeing is collective (whānau and community) as well as individual.
- Women want better access to affordable, inclusive, gender-affirming and culturally safe health services, including mental health, dental, and maternity services. Health reforms must ensure better equity.

### **Systemic and long-term change**

- An overarching national action plan for women is needed to drive gender-equality efforts across government.
- The SDGs need to be actioned with greater urgency and coordination.
- Disaggregated data is needed to better monitor and develop solutions for priority population groups.
- Build capacity on international human rights and integrate a human-rights based approach across government.
- Increase awareness of, and resources for, CEDAW in government and communities.
- An updated Women, Peace and Security plan is needed.

### **Access to justice**

- Survivors of family violence face issues navigating the justice system, particularly for those facing compounding forms of discrimination. Women can experience difficulties around:
  - Obtaining a protection order
  - Understanding and responsiveness of those working in the Family Court
  - Accessing legal aid and support, particularly for women of ethnic minorities
  - Protection of confidential information
  - Family violence visa applications and risk of deportation.

- Culturally appropriate support and advice is important.

### **Education and connectivity**

- Young women want to feel safe, included, and a sense of belonging at school.
- Relationship and sexuality education is essential and must be consistently and adequately delivered.
- Lack of digital connectivity impacts rural businesses and education and is a safety issue for rural communities. Digital connectivity can support women to stay connected to family and work.

### **Climate change**

- Greater efforts are needed to ensure climate change does not amplify existing gender inequalities and pose risks to livelihoods, health, and safety.
- There is a need to include women in climate and disaster preparedness and response and policies.

### **Wāhine Māori**

- Wāhine Māori experience racism and discrimination as women and as Māori, in many areas of their lives.
- Wāhine Māori want their rangatiratanga status acknowledged, the ongoing impacts of colonisation addressed, and representation in leadership, governance, and decision-making roles.
- Initiatives that promote wāhine Māori wellbeing should be consistent with tikanga Māori.
- Wāhine Māori see honouring Te Tiriti as the guide towards prosperity.
- Wāhine Māori want to have access to services that have been designed with them in mind.
- Key issues include:
  - Addressing family violence, sexual violence and trauma.
  - Health (including mental health, addiction, and whānau and community wellbeing).
  - Education (Kōhanga Reo, retention and achievement of Māori students).
  - Housing (healthy homes and homelessness), land ownership, and protecting whenua from harm.



## APPENDIX II: TOKELAU

Tokelau is a non-self-governing territory, as defined under the Charter of the United Nations, administered by New Zealand. It comprises three small atolls with a population of 1,967 as at 2019.

Women play an important role in the socioeconomic development of Tokelau.

In 2010, Tokelau's National Council of Women launched a National Policy for Women of Tokelau 2010–2015 (the National Policy).<sup>139</sup> The National Policy had several objectives including to provide a framework giving effect to the principles of CEDAW.

The overarching goal of the National Policy is to ensure that all women of Tokelau have access to and utilise all opportunities for an equal and improved quality of life.

In May 2019, the National Fatupaepae Organisation held a Summit in Atafu which drew together members of the women's groups from the three atolls as well as Tokelau government Ministers and officials. The outcome was a report summarising priorities identified by Tokelau's women.

In response, the government's national strategic plan for 2021–2026 (TNSP) included a new outcome focused on creating pathways that encourage Tokelau women to become leaders in taupulega, general fono and council (except for the taupulega of the atoll of Fakaofu).

The first annual report against the TNSP shows that there has yet to be any progress in connection with this new outcome. However, in September 2022, Tokelau accepted an offer by United Nations Development Programme, Women (Pacific) to help it progress this.

### WOMEN IN LEADERSHIP

- Four of ten heads of government departments are women.
- The elections held on 26 January 2023 resulted in three women elected as general fono delegates.
- Two of three atoll general managers are women.

### HEALTHCARE

Tokelau has reported low infant and maternal mortality, thanks to the early referral of mothers for maternity care in Samoa or Aotearoa New Zealand. In 2022, Aotearoa New Zealand sent 900 doses of the MFAT-funded Gardasil 9 human papillomavirus vaccine to Tokelau for its 9- to 19-year-old cohort. In September 2022, Tokelau approved to expand the eligible age group to include its 20- to 26-year-old

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<sup>139</sup>[https://www.tokelau.org.nz/site/tokelau/files/TOKELAU%20AFFAIRS\\_National%20Policy+Plan%20of%20Action%20for%20Women-ENGLISH%20VERSION.pdf](https://www.tokelau.org.nz/site/tokelau/files/TOKELAU%20AFFAIRS_National%20Policy+Plan%20of%20Action%20for%20Women-ENGLISH%20VERSION.pdf)

cohort. Tokelau is also working with Aotearoa New Zealand to progress several health reforms impacting women's health.

#### **WOMEN AND THE FORMAL AND INFORMAL ECONOMY**

The inati system (a system of strong communal sharing) is a critical traditional arrangement of the workforce based on the collection and distribution of seafood. Tamafafine (first-born females) tend to be responsible for overseeing the distribution of resources. However, there are limited prospects for other fafine (women) in the informal village workforce. The introduction of high-speed internet to the nation in 2022 will provide possibilities for private sector development.

## APPENDIX III: DATA TABLES

**TABLE 1: SYSTEMIC OUTCOMES ACCORDING TO THE HRC, 2018–2022**

Systemic outcome	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Access to goods/services/facilities provided (RP2)	2	9	5	1	41
Amendment of policy or change in practice (RP2)	14	10	20	20	41
Anti-discrimination programme or policy (RP2)	4	1	5	3	2
Material removed from website or other publication (RP2)	0	1	0	0	0
Participation in a review (RP2)	3	3	0	2	1

**TABLE 2: OTHER OUTCOME CATEGORIES LISTED IN THE HRC DATABASE, 2018–2022<sup>140</sup>**

Other outcomes	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
[Archived] Other	0	1	0	0	0
Acknowledged and closed (AG1)	202	139	148	124	239
Acknowledged and closed (NA3)	2	0	8	10	9
Another jurisdiction (PNFA2)	0	0	1	0	1
Apology (RP2)	46	35	30	29	55
Assistance provided with applying human rights concepts to policies, practices, activities (NA3)	0	1	4	1	0
Beyond/outside scope of the HR Act <sup>141</sup> (PNFA2)	1	2	7	1	1
Commission presence at meeting or event (NA3)	1	0	11	2	1
Complainant or respondent withdrew (PNFA2)	17	19	8	12	10
Complainant or respondent withdrew (RP2)	0	0	3	1	4
Complaint withdrawn / no further contact (NAT1)	174	161	228	120	139
Donation to a charity (RP2)	1	0	0	1	1
DRT process did not resolve the matter	60	53	35	21	22
DRT process did not resolve the matter (PNFA2)	0	0	7	2	4
DRT process did not resolve the matter (RP2)	0	0	0	3	1
DRT process not appropriate (PNFA2)	1	3	3	2	5
Education in / explanation of HR Act (RP2)	21	22	12	9	5
Explained no action (AG1)	332	209	225	210	304
Explanation of HR Act (AG1)	928	615	674	565	854
Explanation of HR Act (RP2)	0	1	10	7	7
Explanation or discussion met needs (PNFA2)	0	0	3	1	4
Explanation or discussion met needs (RP2)	29	30	31	17	14
External referral (AG1)	1129	950	741	480	351
External referral (NA3)	0	1	0	0	0
External referral (NAT1)	0	0	3	5	6
Facilitated self-help (NA3)	0	0	1	1	0
Frivolous, vexatious, or trivial (PNFA2)	0	0	0	0	2
Further work requested (NA3)	0	0	1	0	0
HRC complaint triggered resolution elsewhere (RP2)	6	6	6	6	5
HRC facilitated self-help (AG1)	231	181	159	114	137

<sup>140</sup> The number 1 listed in the brackets means the HRC responded only to the person who contacted them. The number 2 means the HRC notified the respondent and offered them their dispute resolution service. The number 3 means it was a broader human rights matter not a complaint (for example, an invitation for a human rights commissioner to speak at an event).

<sup>141</sup> Human Rights Act 1993.

HRC facilitated self-help (RP2)	0	1	2	1	0
HRC facilitated self-help or referral to appropriate agency/process (RP2)	1	4	0	1	0
Individual settlement/conditions agreed (RP2)	22	21	17	17	12
Money/compensation (RP2)	29	22	19	13	12
Other (NAT1)	148	122	79	38	308
Other rights of redress (PNFA2)	2	1	3	1	5
Press release (RP2)	1	0	0	0	0
Provided information or advice on human rights (NA3)	0	1	3	10	3
Provided information/resources (AG1)	677	742	410	378	1577
Provided information/resources (PNFA2)	8	10	6	1	5
Provided information/resources (RP2)	0	1	5	5	4
Re-instatement, reference, job offer, or interview (RP2)	4	2	5	1	0
Relationship established or strengthened (NA3)	0	1	1	2	1
Resolved by E&C discussion (AG1)	48	32	18	33	41
Resources requested (NA3)	0	1	4	5	2
Respondent would not engage in process (PNFA2)	0	3	6	4	5
Training or education session delivered (NA3)	0	0	1	0	0