

## New Zealand National UPR Report (DRAFT)

### I Methodology and consultation process

1 This report follows the general guidelines adopted by the Human Rights Council for the 2nd cycle (A/HRC/DEC/17/119). Chapter I corresponds to paragraph A of the general guidelines (methodology); chapter II corresponds to paragraph B (developments, in particular normative and institutional developments); and chapter III corresponds to paragraphs C, D, E and F (situation on the ground; follow-up to the previous review; achievements and challenges; priorities). New Zealand has not requested technical assistance, so paragraph G does not apply. The reference framework for this report is the Universal Declaration of Human Rights.

2 At the time of its first review in May 2009, New Zealand responded favourably to 56 recommendations. These have been cited throughout the text as subheadings.

Recommendation 64: Ensure regular consultation with civil society in the follow-up to the UPR recommendations

3 New Zealand has engaged in regular consultation with civil society since the first review. The Ministry of Justice (MoJ) and New Zealand Human Rights Commission (NZHRC) met with civil society after New Zealand submitted its responses to the recommendations, and MoJ prepared a mid-term review of implementation. All relevant documents have been posted online along with the schedule for future consultations.

4 The preparation of this 2nd national report, including the consultation process, was managed by the Ministry of Foreign Affairs and Trade (MFAT), in close collaboration with a range of government agencies.

5 Public consultations were held in six centres across the country. Te Puni Kōkiri (Māori Development Agency, 'TPK') and the NZHRC were closely involved. Following ministerial and departmental consultations, the draft report was released for public comment. Given New Zealand's constitutional relationships with the Cook Islands, Niue and Tokelau, efforts were made to engage their New Zealand based communities in the consultations, and those governments (as stakeholders) were given the opportunity to comment on the draft report.

6 The consultations were attended by a range of civil society organisations, iwi, and private individuals. Stakeholders highlighted a number of areas where they felt further work was required to address specific human rights issues in New Zealand. Major themes included: disability rights; New Zealand's constitutional framework for the protection and enforcement of human rights (including economic, social and cultural rights); Treaty of Waitangi issues and the partnership between Government and Māori; access to justice; women's issues; child abuse/neglect; social-economic inequalities between social/ethnic groups; over-representation of Māori and institutional racism (real and/or perceived) in the criminal justice system; gender discrimination; aged persons concerns; cultural preservation and the environment against economic development; and the human rights impact of the Christchurch earthquake. The Government acknowledges these concerns and is committed to finding ways to overcome the challenges identified.

## II Background and framework: developments since the previous review

### A. Constitutional and legislative framework

7 New Zealand's constitutional arrangements and legislative framework are set out in our first national report (A/HRC/WG.6/5/NZL/1). They have evolved over many years and increasingly reflect regard for the Treaty of Waitangi (ToW) as a founding document of modern government in New Zealand. The Government is firmly committed to building positive working relationships with Māori and engaging in good faith negotiations on all issues (cultural, social and economic) affecting Māori. UPR consultations indicated that further efforts are required to ensure this process is integrated into all levels of government. In some areas, the government has been adopting new approaches to working with Māori in order to improve these relationships. One example is the relationship between Ministers and the Freshwater Iwi Leaders Group. The purposes of this engagement include identifying options for mutually acceptable policy solutions for reform of freshwater management, and ensuring that Cabinet decisions are informed by iwi views on water issues.

Recommendations 21 and 29: Continue the public discussion over the status of the ToW, with a view to its possible entrenchment as a constitutional norm (21); Continue to address all forms of political, economic and social discrimination against the Māori by meeting their various demands for constitutional and legal reforms and recognition (29)

8 Under the 2008 Relationship and Confidence and Supply Agreement between the National and Māori parties, the Deputy Prime Minister and the Minister of Māori Affairs lead a Consideration of Constitutional Issues work programme. They have appointed an independent Constitutional Advisory Panel to design and manage the programme, which is an opportunity for all New Zealanders to contribute to discussions on New Zealand's constitutional arrangements. The Panel will report to Ministers by the end of 2013. Cabinet will then consider whether further work on particular issues is desirable.

9 Written material produced by the Constitutional Panel includes questions and perspectives on the role of the ToW in the future, for consideration during the engagement process. This includes the question of whether the ToW should have an entrenched role in New Zealand's constitutional arrangements. The Panel is also tasked with consulting New Zealanders on issues of Māori representation in local and national government. This includes consideration on the future of the Māori seats in Parliament, and how Māori electoral participation could be improved.

Recommendation 15: Further incorporate, as appropriate, its international human rights obligations into domestic law

10 New Zealand gives effect to international human rights obligations by general and specific legislation and by government policies and practices. New Zealand will continue to review whether further legislation, policies or practices are required, including where it takes on new international human rights obligations. In June 2013, Cabinet agreed to legislative changes that will enable New Zealand to ratify the UN Convention Against Corruption. It is intended that these amendments will be included in an Organised Crime and Anti-Corruption Bill that will be introduced in Parliament in 2013.

Recommendations 16, 17, 18: Ensure that the Bill of Rights Act appropriately reflects all of New Zealand's international human rights obligations and that all subsequent legal provisions, including immigration laws, are in accordance with it and cannot limit its scope (16); Consider integrating the provisions of the International Covenant on Economic, Social and Cultural Rights into domestic legislation to ensure the justiciability of these rights (17); Take appropriate measures to bring domestic law in to full compliance with the International Covenant on Civil and Political Rights (18)

11 New Zealand agrees that all international human rights obligations should be appropriately implemented domestically. The New Zealand Bill of Rights Act 1990 (NZBORA) covers primary civil and political rights. New Zealand implements other rights through subject-specific legislation and government policies and practices. For example, the right to Privacy (Article 17 of the International Covenant on Civil and Political Rights) is protected by the Privacy Act 1993 and tort law.

12 To the extent possible, New Zealand courts will interpret domestic legislation consistently with international obligations (this stems from the basic constitutional presumption that Parliament does not intend to legislate in a manner contrary to the State's international obligations). There is also a broad range of non-judicial and quasi judicial mechanisms for the protection of fundamental human rights. Section 7 of the NZBORA requires the Attorney-General to alert Parliament to any provision in a Bill that appears to be inconsistent with the NZBORA. Consistent with New Zealand's present constitutional structure, the NZBORA and other subject-specific legislation do not directly limit Parliament's legislative powers.

13 Consideration of NZBORA issues, including whether new rights such as property or social, economic and cultural rights should be included, is one of the terms of reference of the Constitutional Review. The Panel is also tasked with consulting New Zealanders on the status of the Act in relation to other legislation.

#### B. Human rights policy measures

Recommendation 22: Consider adopting its National Plan of Action for Human Rights

14 The Government has a robust framework for ensuring promotion and protection of human rights. Part of the framework is the implementation of the priorities for action from the New Zealand Human Rights Commission's 2005 National Action Plan on Human Rights. The NZHRC is preparing the 2nd National Action Plan in close consultation with MoJ and other agencies. The Commission expects to complete the plan in early 2015.

#### C. Scope of international obligations

15 New Zealand has signed, ratified or moved to support several international human rights instruments since the last review. New Zealand has a long-standing policy and practice of ratifying international treaties only when it can comply with them fully. New Zealand is committed to withdrawing or narrowing the small number of reservations it maintains to human rights treaties, where it becomes possible to do so.

Recommendation 3: consider ratifying the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

16 New Zealand ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography on 20 September 2011.

Recommendations 8, 9 and 10: support the United Nations Declaration on the Rights of Indigenous Peoples

17 New Zealand moved to support the United Nations Declaration on the Rights of Indigenous Peoples in April 2010. The statement of support acknowledged that Māori hold a special status as tangata whenua (indigenous peoples of New Zealand) and have an interest in all policy and legislative matters. It affirmed New Zealand's commitment to the common objectives of the Declaration and the ToW; and reaffirmed the legal and constitutional frameworks that underpin New Zealand's legal system, noting that those existing frameworks define the bounds of New Zealand's engagement with the Declaration.

Recommendations 11 and 14: consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (11); Accomplish progressively the human rights goals set forth in Human Rights Council resolution 9/12 (14)

18 In line with HRC Resolution 9/12 "Human rights voluntary goals", New Zealand has ratified seven of the nine core human rights treaties and is considering becoming party to the most recent treaty, the International Convention for the Protection of All Persons from Enforced Disappearance. MoJ has assessed existing legislation for consistency with the Convention and identified amendments that would be necessary to ratify the Convention. This includes creating a specific offence related to enforced disappearances. The Government is considering whether it can support the Convention in the light of this analysis.

Recommendation 12: consider accepting the individual complaint procedure under Article 14 of the International Convention on the Elimination of all Forms of Racial Discrimination

19 The Government recognises the importance of an individual complaints procedure, particularly in relation to issues as serious as racial discrimination. However, following consultation with civil society, and given the existence of an independent national human rights institution that can effectively deal with such complaints, the Government has decided that domestic remedies are sufficient to deal with issues of racial discrimination.

Recommendation 13: Adopt/Endorse the final outcome document approved during the Durban Review Conference, in view of its unanimous adoption

20 New Zealand is fully committed to combating racism, racial discrimination, xenophobia and related intolerance, and remains supportive and actively engaged in global efforts to that end. Accordingly, New Zealand engaged constructively in the preparatory discussions on the Durban Declaration, which remains a point of reference domestically despite the Government's decision not to endorse the final outcome document.

III Promotion and protection of human rights

A. Cooperation with human rights mechanisms

21 New Zealand cooperates with treaty bodies and special procedures, and supports the work of OHCHR, including through the provision of regular non-earmarked financial contributions. New Zealand's treaty body reporting is up to date. New Zealand has a standing open invitation to all United Nations Special Procedures mandate holders and this will continue without restrictions. In July 2010, the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples visited New Zealand. The Government is already acting on many of the Special Rapporteur's recommendations and will continue to draw on his report. In April 2013, the Sub Committee on the Prevention of Torture visited New Zealand, and the Government is looking forward to receiving the Committee's report and continuing a constructive dialogue.

Recommendations 19, 20, 23 and 24: Take further measures to ensure full and consistent protection of human rights in domestic law and policies, taking into account recommendations made by several United Nations human rights bodies in this regard (19); Take action to provide constitutional protection to both national and international human rights acts and standards (20); Seriously consider implementing the observations and recommendations of different treaty bodies and special procedures on indigenous people (23, 24)

22 New Zealand has always acted consistently with the recommendations of treaty bodies and special procedures on indigenous peoples. The four implementing agencies work closely together with MFAT and other relevant government agencies to assess treaty body recommendations and identify where progress can be made. In many cases, the recommendations align with existing Government objectives and can therefore be advanced as a priority. The recommendations of the Committees on: the Elimination of Racial Discrimination (2013), the Elimination of Discrimination Against Women (2010), and Rights of the Child (2011) are under active consideration.

Recommendations 38 and 39: Consider accepting the recommendation of the Committee on the Elimination of Racial Discrimination to study ways and means of assessing the extent to which complaints for racially motivated crimes are addressed in an appropriate manner within the criminal justice system

23 New Zealand accepts but has not yet been able to progress recommendations 38 and 39. In 2010, the Review of Crime and Criminal Justice Statistics Report was completed and included specific consideration of gathering information regarding crimes of prejudice, which includes racially motivated crime. The report concluded that given the problems experienced in overseas jurisdictions where this information is collected, the worth of their collection in New Zealand needed to be assessed and validated before this could be considered. However, New Zealand Police will continue to make full use of the Crime and Safety Survey to monitor trends.

24 New Zealand Police and the Race Relations Commissioner collate racially motivated incidents, which are published in the annual Race Relations report. Racially motivated incidents are treated as a priority by police, and the Sentencing Act 2002 provides that hostility towards a racial group is an aggravating factor in sentencing (see section 9(1)(h)).

25 New Zealand does not officially record racially motivated crime at a national level, but New Zealand Police has supported the establishment of local initiatives designed to facilitate reporting of race based discrimination, harassment and other racist incidents. Examples include the "Report It"

website ([www.report-it.org.nz](http://www.report-it.org.nz)) in Christchurch, and the “Speak Out” system ([www.speakout.org.nz](http://www.speakout.org.nz)) in the Tasman Region.

Follow-up to the previous review, achievements and challenges

26 This section assesses the implementation of the 56 accepted recommendations from the first UPR cycle. It also refers to new achievements, challenges and constraints since the first review. One such challenge was the Canterbury earthquake on 22 February 2011, which had a devastating impact on the people of Canterbury (including New Zealand’s 2nd largest city, Christchurch). The Government recognises there have been some governance and human rights issues and as a result of the earthquake, but views these as unavoidable against challenging circumstances. For example, the 2011 Census was not held in March 2011 as planned, and instead took place in March 2013. UPR consultations identified a series of other issues arising from the earthquake including access to education, housing, insurance and information; access and accommodation issues for persons with disabilities; and delays around the rebuild. The Government is aware of these issues, and recognises the need to consider the full range of human rights impacts of the earthquake in its on-going response and decisions on the rebuild.

#### 1. Equality and non-discrimination

27 New Zealand has comprehensive legislation and policy measures in place to promote equality for vulnerable groups. These include robust non-discrimination provisions in human rights legislation, and a variety of laws, policies and practices in the education, employment, health and social welfare sectors. New Zealand is committed to identifying gaps in information to better understand the causes of inequality.

28 Under the Cabinet manual, all government departments must identify the human rights implications, including unlawful discrimination, of proposed policies and legislation. MoJ and the Crown Law Office consider all legislation introduced into the House of Representatives for consistency with the NZBORA including the right to freedom from discrimination.

Recommendations 25, 26, 27: Pursue efforts to combat all forms of discrimination, in particular those based on ethnic origin (25); Continue to take targeted action to eliminate the socio-economic disparities that persist among its population, including those affecting Māori, Pacific, Asian and other groups (26); Strengthen and further improve the existing measures and strategies and undertake, where necessary, actions to correct the inequalities that still exist between the various communities (27)

29 New Zealand has social assistance that aims to ensure an adequate standard of living and provide opportunities for all to participate fully in society. The Government believes that paid work is the best way for low-income families to move out of poverty over the long-term.

30 In February 2011, the Welfare Working Group, an independent advisory group appointed by the Government, made recommendations on policies to address long-term welfare dependency. Based on this advice, the Government introduced the first phase of welfare reform changes through the Social Security (Youth Support and Work Focus) Amendment Act 2012. These changes are intended to improve social and economic outcomes for individuals, families and the country; to improve outcomes for children by helping more parents out of poverty through paid work; and to

reduce the likelihood of long-term dependency among those who begin receiving a benefit at a young age.

31 The Social Security (Benefit Category and Work Focus) Amendment Act will introduce three new benefits to replace the seven existing ones. Overall eligibility for a benefit and levels of financial assistance will be unaffected by this change. More intensive support will be provided to people capable of working but who are likely to remain on a benefit long-term without that support.

32 There are two fundamental elements to the newly implemented investment approach – first understanding clients from a long term liability perspective and second looking at investments in service and support that can have the biggest impact on reducing that liability. To understand where best to target support, an actuarial valuation was commissioned in 2012 (using 2011 data) to reveal the lifetime costs of those on different benefit types. It also looked at the effect of policy changes on individuals within the benefit system. This baseline valuation provided, for the first time, an estimate of the future cost of the benefit system, enabling the Government to understand who needs help, learn what works and adapt its services. Further valuations were undertaken in 2013, using 2012 and 2013 data.

33 Each region of New Zealand has the flexibility to tailor specific contracted services and employment programmes to meet the needs of their client base. With the implementation of the investment approach regions will target services at clients aimed at reducing their liability, while addressing issues of regional variability. Some of these may include programmes and services specifically for Māori, Pasifika, refugees and migrants where there is determined by the region to be the most effective spend. While policies are targeted by the needs of individual clients and not ethnicity, the Ministry of Social Development is working to reduce the number of Māori and Pasifika clients on a benefit by developing a number of formal and informal partnerships. On-going activities include industry partnerships, training and development arrangements, and promoting Māori participation in pathway programmes. Further, the Government has established 'Community Link', a partnership with community, non-government organisations, other government agencies, and voluntary sectors to deliver a connected network of service provision, appropriate to individuals and families' needs.

34 To improve housing outcomes for social housing tenants, the Government is undertaking a Social Housing Reform Programme, which includes a review of the long-term direction for housing assistance.

(a) Māori

Recommendation 58: Consistent with the observations of the Committee on the Elimination of Racial Discrimination and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, continue the new dialogue between the State and the Māori regarding the Foreshore and Seabed Act of 2004, in order to find a way of mitigating its discriminatory effects through a mechanism involving prior informed consent of those affected

35 The Government reviewed the Foreshore and Seabed Act 2004 (2004 Act) in 2009 in response to concerns (international and domestic) about its discriminatory effect on Māori. Following extensive dialogue with Māori, and the general public of New Zealand, the Government

repealed the 2004 Act and enacted the Marine and Coastal Area (Takutai Moana) Act 2011 (the 2011 Act) in its place.

36 The Government considers the 2011 Act achieves an equitable balance of the interests of all New Zealanders in the common marine and coastal area (CMCA). It restores customary interests in the CMCA that were extinguished by the 2004 Act and introduces a new framework for recognising and protecting rights of all New Zealanders in the CMCA. It accounts for the intrinsic, inherited rights of Māori derived in accordance with their customary practices and based on their connection with the CMCA. It translates those inherited rights into legal rights and interests that are inalienable, enduring and able to be exercised so as to sustain the coastal marine environment for future generations. It also guarantees free public access for all New Zealanders except for the special cases that already exist, i.e. working port areas, naval bases or recognised burial grounds.

37 The 2011 Act enables Māori to seek recognition of their inherited rights by direct engagement with the Crown or by applying to the High Court. There are two types of right that may be sought: protected customary rights (PCRs) and customary marine title (CMT).

- PCRs are customary practices that have been exercised since 1840; continue to be exercised in accordance with custom, whether it continues to be exercised in exactly the same or a similar way, or has evolved over time; and has not been extinguished.
- CMT is a title over a particular part of the CMCA that is held according to customary practice; that has been exclusively used and occupied from 1840 to the present day without substantial interruption; or that was received, at any time after 1840, through a customary property transfer.

38 The Crown has received formal applications for direct engagement of customary rights from 18 Maori groups, and the High Court has received applications for customary rights from 12 Māori groups under the 2011 Act. The Crown has established an Independent Assessor position that will provide an independent, expert view on whether there is a legal basis for the Crown to recognise the customary rights of Maori applicants under the 2011 Act. The Crown is currently consulting with Māori groups on a proposed model for funding the essential stages of the application process.

Recommendation 59 and 60: Pursue efforts to settle comprehensively land claims of the indigenous population (59); Find appropriate ways to provide adequate compensation to Māori, in particular for their loss of land (60)

39 The Crown is actively pursuing efforts to comprehensively settle land claims with Maori claimant groups that have asserted breaches by the Crown of the ToW. The Government is seeking to negotiate settlements that are timely, fair and durable.

40 The Government has significantly increased resources dedicated to the settlement process including through extra funding to the Office of Treaty Settlements (OTS) and to claimants to participate in the settlement process. Operational changes in the way OTS approaches and resources the Treaty negotiation process have allowed concurrent negotiations to take place across the country, resulting in a 200% increase in settlements over the last three years. Since the process started over 20 years ago, 64 deeds of settlement have been signed. In 2012, the Crown signed 12 Deeds of Settlement and passed 11 pieces of settlement legislation. The Crown had signed five further deeds of settlement and passed two pieces of settlement legislation as at June 2013.



41 Redress is provided as a part of a comprehensive settlement. The nature and amount of redress provided in each settlement package depends on the severity of the breaches of the ToW including the amount of land alienated and how this was achieved. Treaty settlements reflect a combination of a variety of redress options including a Crown apology, cultural redress and financial and commercial redress.

42 MoJ has established a Post Settlement Commitments Unit, in recognition of the fact the Crown and iwi have an ongoing relationship post settlement. The Unit primarily looks at measures that can be adopted to ensure the durability of settlements, i.e. to look after the commitments made in settlements and to build on the opportunities that settlements create. The Unit will initially consult with settled iwi on how the Crown can work with them to ensure that Treaty settlement commitments are honoured and the relationship between both parties enhanced.

43 In recognition that yet-to-settle iwi might be disadvantaged in their ability to participate in share offers for the partial sale of State-owned energy companies, the Government has agreed that on account payments can be paid to claimants for the purchase of shares, provided they have reached certain stages in the settlement process. The Government has also provided extra funding to the OTS to help facilitate the participation of yet-to-settle iwi in the share offers .

Recommendations 30, 31, 32, 61: Continue addressing effectively the socio-economic inequalities affecting the Māori (30); Take further measures to correct the gaps in employment, salary, health care and education that exist between Māori and non-Māori peoples (31); Consider further action to fully understand the causes of inequality faced by indigenous people and take steps to minimize the effects; Pursue efforts to improve Māori participation in all areas of social life (61)

44 The Government accepts that the social, economic and cultural gains experienced by wider New Zealand over the past two decades have not been experienced by many Māori or Pacific families. Launched by the Government in June 2010, Whānau Ora is designed to move whānau from service dependence to self-management. It empowers whānau as a whole rather than focusing separately on individual family members and their problems. It requires multiple government agencies to work together with families rather than separately with individual relatives.

45 The Māori Education Strategy 2008-2012 set the Government's policy targets and approaches to Māori educational achievement. The Ministry of Education's annual report highlights a broad range of activities underway to improve the performance of Māori students, enhance Māori language outcomes and ensure Māori learners achieve the skills and qualifications they need to succeed.

46 In 2011, over 23% of Māori school leavers achieved University Entrance Standard, up from 18% in 2009. In 2011, 51% of Māori students gained National Certificate of Educational Achievement (NCEA) level 2, a 6% increase on 2009. In 2012, 21% of all students were participating in Māori language in education. NCEA data continues to show strong patterns of achievement among Māori learners attending secondary schools where Māori language and culture are the main approaches to teaching and learning. UPR consultations identified that further efforts are required to ensure successful integration of Māori language achievements above the level of primary education.

47 The Government has invested \$26 million in a longitudinal study of child development in New Zealand. The study- 'Growing up in New Zealand'- collects information about 7000 children from before their birth and over their life course, providing a flow of information about the development and wellbeing of children, with good coverage of New Zealand's ethnic and social diversity. The study aims to provide New Zealand specific information on factors which influence children's outcomes, and will be used to inform social policy.

Recommendations 33 and 34: Commit itself to combating institutional bias that can result in the overrepresentation of specific groups in the criminal justice system (33); Continue efforts to ensure that people belonging to minority groups are not discriminated against in the criminal justice system (34)

48 The Government recognises that the rate of imprisonment and community sentences and orders for Māori pose a significant challenge for it and Māori communities. In December 2012, Māori made up 51.4% of the prison population.

49 "Drivers of Crime" is an across-government project aimed at reducing offending and victimisation, focused in particular on reducing the over-representation of Māori in the criminal justice system. Priority areas for action include: increasing at-risk communities' uptake of maternity and early parenting support; addressing conduct and behaviour issues through education and health services; reducing harm from alcohol; and improving access to interventions for offenders to reduce reoffending and escalation.

50 The number of young Māori coming to court decreased between 2008 and 2012, from 2,403 to 1,623. However, the rate of young Māori appearing in court is 403 per 10,000 of population aged 14-16 compared with 101 for non-Māori. The Government is developing a Youth Crime Action Plan, which will focus on reducing apprehensions, prosecutions and recidivism.

51 To address inconsistencies in the way apprehensions of children and young people are resolved, New Zealand Police is developing a Decision Making Model (DMM), which will improve consistency in decision making through reducing subjective judgements susceptible to bias. Police is also working with iwi in a number of areas to provide alternative means of resolving apprehensions of children and young people without having to involve the formal justice system. Coupled with this, TPK has developed a macro-modelling tool to explore the loss of Māori potential from Māori in the criminal justice system and illustrate alternative futures.

52 The Commissioner of Police's Māori Focus Forum has agreed a joint programme of work, "The Turning of the Tide", to enable all Māori to live full and prosperous lives, free from crime and road trauma. The programme has set specific targets from 2012/13 to 2014/15 to reduce: the proportion of first-time youth and adult offenders who are Māori; the proportion of repeat youth and adult offenders who are Māori; the proportion of repeat victims who are Māori; the number of Police (non-traffic) apprehensions of Māori resolved by prosecution; and the proportion of casualties in fatal and serious crashes who are Māori.

53 Other recent work includes the establishment of Rangatahi Courts where key functions of the Youth Court are carried out on Marae (traditional meeting places) under Maori protocol, and the establishment of a Maori-centred rehabilitation and reintegration unit at Mangaroa Prison.

(b) Women

Recommendation 40: Consider amending or repealing its legislation to close the gaps in the protection of women against discrimination

54 Pursuant to the HRA and the NZBORA, it is unlawful to discriminate against women in New Zealand. New Zealand withdrew its last reservation under the Convention on the Elimination of Discrimination Against Women in July 2007.

55 A gender implications statement is required for all papers submitted to the Cabinet Social Policy Committee. The Ministry of Women's Affairs (MWA) provides advice to other government agencies on gender implications in policy papers.

Recommendations 41, 42, 44: Establish targets for improving the representation of women in senior management in the public service and set measurable targets for realising gender pay equality (41); Continue to adopt policies in order to achieve full gender parity (42); Reinforce the rights of women within the labour market, regardless of age or ethnicity (44)

56 MWA has worked on several projects aimed at reducing the gender pay gap and promoting women's labour participation. These include: a study on the career aspirations and pathways of men and women in engineering; research on the economic returns from women's skills now and into the future; support for industry and education-led initiatives as well as professional networks to increase the profile of women in non-traditional work; labour market analysis and work on encouraging women to participate in the Canterbury earthquake recovery, particularly in non-traditional work areas; policy advice on women moving from welfare to sustainable employment; and reviews of early childhood education and out of school care and recreation.

57 The State Services Commission (SSC) regularly monitors the state sector workforce including women's participation in senior management. The 2012 annual Human Resource Capability Survey of Public Service Departments showed 42.1% of women in senior leadership in the state sector, the highest percentage since the survey was started in 2000.

58 The SSC requires government agencies or sectors to develop a Workforce Strategy to ensure they have the right people and skills to achieve government priorities. The Strategy can be the mechanism for increasing women in senior management positions, particularly if this has been identified as an organisational goal.

59 The SSC, in partnership with public service CEOs, has a new centrally-coordinated talent identification and leadership development initiative for senior public servants. In 2012, a cohort of tier two managers who are ready to step into a CEO role, or a role larger than what they currently hold, was identified. 82% of this cohort is female.

60 As an outcome of the pay and equity reviews- conducted under the Five Year Action Plan on Pay and Employment Equity- the Government has pledged continued support for the implementation of the Public Service Departments reporting on pay and employment equity response plans. It is focused on providing support for Public Service CEOs, boards of trustees, and CEOs in the public education and health sectors to ensure that they continue to address and respond to any identified gender inequalities. There are also mechanisms available through the Equal Pay

Act, the Employment Relations Act and the HRA to employees who suspect they have been treated differently on the basis of gender alone.

61 The Government has asked officials to review the Parental Leave and Employment Protection Act 1987 in the context of broader policy settings in order to improve outcomes for children, families and the labour market.

62 The Employment Relations (Flexible Working Arrangements Amendment) Act (Part 6AA) 2007 provides eligible employees with the statutory right to request a variation to their working hours. Employers must consider these requests. Following a review of the Act, the Government plans to extend the right to request flexible working arrangements to all employees.

63 The Employment Relations Breaks, Infant Feeding and Other Matters Amendment Act (Section 6C) 2008 requires employers to provide appropriate facilities and breaks for employees who wish to breastfeed, where reasonable and practicable. A Code of Employment Practice, providing guidance to employers on the above, has since been prepared.

Recommendation 43: Start discussions on introducing gender quotas on the boards of public limited companies

64 The Government is committed to increasing the participation of women in governance on New Zealand stock exchange (NZX) top 100 and state sector boards, through targets as opposed to quotas. At 30 June 2012, the 10% Government target for women on NZX top 100 boards had been exceeded. In 2012, there were 14.75% women on NZX top 100 boards compared with 9.32% in 2010.

65 MWA helped launch a group of private sector champions called the “25 Percent Group”, which has established a voluntary goal of 25% of women on private sector boards by 2015.

Recommendation 45: Implement active policies to speed up and increase the representation of women, in particular in local governments, the judiciary and the health sector

66 MoJ routinely advises MWA of upcoming vacancies to statutory positions which it administers so that MoJ can encourage women on its database to apply.

67 In the 2010 local government elections, 28.6% of elected members were women to serve as councillors, including mayors, throughout New Zealand. The New Zealand Local Government Commission is working with the Electoral Working Party to publish documents to encourage people to stand in the 2013 local government elections and to vote. They will be promoting greater gender and ethnic diversity.

68 New Zealand’s Chief Justice is a woman. As at August 2012 there were 62 women holding roles in the judiciary as judges. This was an increase of 1.65 % points from 2010 when there were 57 women.

69 MWA is advised of and actively participates in opportunities to nominate suitable women to vacancies on health-related State sector boards, working towards the Government’s target of 45% of women on State sector boards by 2014.

(c) Persons with disabilities

70 New Zealand was a leader in negotiations on the UN Convention on the Rights of Persons with Disabilities (CRPD), modelling the spirit of participation with disabled people throughout the consultation process, and involvement of disability sector representatives in New Zealand delegations to the UN. The Government recognises the importance of involving disabled persons' organisations in the on-going development of new policy on disability issues. It is also aware that progress remains to ensure the full realisation of human rights for persons with disabilities, including with respect to physical protection and support, independent living, equal employment opportunities, access to health services and information, pay equity, accommodation and accessibility and family impacts. New Zealand submitted its first report on implementing the CRPD in March 2011, following a broad public consultation process.

Recommendation 28: Further strengthen its actions to ensure that the economic and social rights of vulnerable persons are protected, especially Māori, people with Pacific background and people with disabilities, and ensure that special attention is given to these persons with a view to including them fully in society

71 The Government's Ministerial Committee on Disability Issues is responsible for the coordination of government policies and practices relating to disabled persons. The Committee has agreed a Disability Action Plan (to be updated in 2013) to improve the lives of disabled persons. It is focused on three areas: Enabling Good Lives – greater choice and control over supports, more mainstream and natural supports, and more efficient use of disability support funding; Employment – increased number of disabled people in paid employment; and Rebuild Christchurch – Christchurch rebuild is inclusive of disabled people. In September 2012, the Ministerial Committee agreed to seven new initiatives related to these three areas, which agencies are implementing from 2012-2014. In the 2013 budget, \$2.6 million over three years has been earmarked for testing the Enabling Good Lives approach to improving the disability support system.

72 The Government has designated and provided funding for an independent mechanism under the CRPD to promote, protect and monitor implementation. It comprises the NZHRC, the Office of the Ombudsman and the Convention Coalition, a group of disabled persons' NGOs. The 2010 budget allocated additional funding of \$1.59 million over three years to the NZHRC and the Office of the Ombudsman and \$750,000 over three years for the Convention Coalition to report on changes in disabled persons' lives and the impact of government-funded services. In the 2013 budget, funding for the Convention Coalition has been set at \$270,000 per year and baselined. \$1.5 million over three years has also been continued for the promotion of lifetime (or universal) design in housing.

73 Promoting greater understanding of disabled persons' desire to live a life on an equal basis with others is a key action in the New Zealand Disability Strategy, which was developed in 2000. The 2010 budget invested \$3 million dollars over three years for a campaign called "Think Differently" to improve attitudes and behaviours towards disabled persons ([www.thinkdifferently.org.nz](http://www.thinkdifferently.org.nz)). It supports local communities and national partners to challenge negative attitudes and behaviours towards disabled persons. The 2013 budget has extended and increased funding of the Campaign to \$6 million dollars over two years.

74 New Zealand is actively considering acceding to the Optional Protocol to the CRPD, a move strongly supported by disability sector organisations in New Zealand.

Recommendation 46: Commit more resources to the provision of services for children with disabilities

75 The 2010 budget allocated an additional \$15 million for the provision of additional equipment and modification (housing and vehicles) services. It also allocated an additional \$0.4 million per annum for four years for the provision of additional cochlear implant services. The 2012 budget allocated a further \$4.8 million for the provision of a range of services for people of all ages, including equipment and modifications, subsidies for children's spectacles (for low income families), cochlear implants, interpreter services for Deaf people, and other services in 2012 and beyond. This additional funding helps support disabled children to access the services they need in a more timely way and reduce the need for them to wait for such services.

76 District Health Boards, which provide approximately 85% of all Disability Support Services (DSS)-funded Child Development Services, have received a 1.5% increase in funding. NGOs which hold DSS-funded Child Development Services contracts have recently received a 2% increase to maintain and support the child development work they undertake in a community setting with disabled children.

#### (d) Sexual orientation and gender identity

77 New Zealand recently adopted marriage equality legislation. The Marriage (Definition of Marriage) Amendment Act 2013 came in to force in August 2013. The Amendment Act specifies that a marriage is between two people regardless of their sex, sexual orientation, or gender identity. As a result, same-sex married couples will be eligible, under the Adoption Act 1955, to apply jointly to adopt a child. The Amendment Act enables people to continue to be married regardless of a change in their legal gender.

78 New Zealand introduced transgender passport options in December 2012. This policy was developed to remove unnecessary obstacles for applicants wanting to record a change in their gender identity. A passport may now be issued in an applicant's preferred sex, including "X" (indeterminate/unspecified), without the need to amend these details on the applicant's birth or citizenship record. The law was changed in 2009 to allow changes from male to female or vice versa by a declaration from the Family Court, and a change from either gender to "X" by a statutory declaration.

79 The NZHRC has received complaints from transgender people of discrimination on the disability and sex grounds. Its complaints process provides one way of addressing discrimination. One complaint resulted in the Ministry of Health changing its guidelines on the availability of gender reassignment surgery, but work still remains to ensure equitable access to health services and health outcomes for transgender people. The NZHRC considers that amendment to the grounds of discrimination in the HRA to specifically include gender identity would help to clarify some of the issues. However, the Government's view is that discrimination on the grounds of gender identity is already prohibited under the HRA, as sex discrimination.

(e) Racism

Recommendations 35: Take further steps to eradicate all remaining expressions of racism, racial discrimination, xenophobia and related intolerance

80 New Zealand is committed to continued action to address racism, racial discrimination, xenophobia and related intolerance. It is unlawful for anyone in New Zealand to publish, distribute or use words in public that incite hostility against or bring into contempt any group of persons who are in or may be coming to New Zealand on the grounds of the colour, race or ethnic or national origin of that group of persons.

Recommendation 36: Include the fight against xenophobia and racism in the education curricula

81 The New Zealand school curriculum now makes explicit reference to cultural diversity and inclusion as two of the eight principles that should underpin all school decision-making and the fight against xenophobia and racism falls within these principles. It is anticipated that on-going monitoring will show more schools using the new curriculum more effectively.

Recommendation 37: Protect migrants and minority groups, including Asian and Pacific people, from all forms of racial stereotyping and derogatory treatment

82 The Government's strategies for settlement of migrants and refugees are based on the principle that settlement outcomes are a two-way commitment for newcomers and the host community. Settlement resources have been produced for new migrants to better understand how New Zealand workplaces function, how New Zealanders differ in the way they work, and their rights and responsibilities as employees. Companion resources have also been produced for New Zealand employers to assist them to better understand migrant staff and support their settlement into New Zealand. Tailored products have been produced for migrants working in specific industries. A Guide for Migrant Dairy Workers (and a companion Guide for Employers) is available in English, Tagalog and Spanish. Further products for the construction and aged care sectors are in development.

83 In June 2013, New Zealand's Immigration Minister announced further measures to combat the exploitation of migrant workers, and make it clear that unlawful and exploitative behaviour will not be tolerated in New Zealand. Proposed changes will see exploitative employers face prison time, fines, and in some cases deportation back to their country of origin. Changes have also been made to encourage victims of exploitation to come forward.

## Right to life, liberty and security of the person

### (a) Family violence

84 Violence within families affects the lives of thousands of people in New Zealand. Research on the New Zealand experience tells us that men are responsible for two-thirds of the deaths of children aged 14 or under. Victims of the most severe and lethal cases of family violence are predominantly women and children. Women with disabilities are a particularly vulnerable group. Family violence affects families from all cultures, classes, backgrounds and socio-economic circumstances. However, Māori are significantly over-represented as both victims and perpetrators of violence in families. Violence experienced by gay, lesbian and transgender people in family relationships also remains a challenge.

Recommendation 52: Promote the very foundation of family and its associated values with a view to preventing domestic violence

85 In October 2012, the Government reconvened the Family Violence Ministerial Group to provide oversight to a whole-of-government approach to addressing violence within families. The Ministerial Group has endorsed the Programme of Action 2012/2013, which recognises that action on family violence is a feature of the Government's current priority programmes as well as a number of ongoing programmes, and that Taskforce work sits alongside these programmes. It continues work from the 2011/2012 Programme of Action and includes new priority areas of work with a strong focus on producing evidence that will inform effective investment in family violence interventions.

86 The Campaign for Action on Family Violence ([www.areyouok.org.nz](http://www.areyouok.org.nz)) has played a key role in mobilising communities to get involved in family violence prevention work. The Campaign Taskforce works with communities to change attitudes and behaviour towards violence within families. It is taking action on four fronts to achieve its vision: leadership; changing attitudes and behaviour; safety and accountability; and effective support services.

87 Research shows that as a result of the Campaign, one in three people report taking some form of action to prevent family violence. The figures are higher for Māori (44%) and Pacific (55%) audiences. The Campaign combines television advertising with support for community-led projects to prevent family violence, media advocacy work, the development of written resources, an information line and website and social media information and advice. It focuses on three messages: 'Family Violence - It's not OK', 'It is OK to ask for Help' and 'It is OK to Help'.

88 The E Tū Whānau initiative recognises and draws on the power and effectiveness of Māori oral traditions to help address family violence within Māori whānau. E Tū Whānau emphasises the concept of culturally relevant community action to help change attitudes and behaviours. An increase in funding over the next four years will expand services to focus on Pasifika, migrant and refugee communities who are also vulnerable and need culturally relevant support and assistance to address issues of violence.

Recommendation 53: Look to identify a more accurate measure of the extent of domestic violence, thereby providing a tool to better measure the success of domestic violence prevention and conviction agencies and programmes



89 New Zealand Police is working with Statistics New Zealand to develop a new set of official statistics on victims of crime, which will include the relationship between victim and offender.

Recommendation 54: Take effective legal, institutional and awareness-building measures to combat domestic violence, racially-instigated crimes and trafficking of women for sexual exploitation

90 The Domestic Violence Act 1995 aims to reduce and prevent domestic violence by recognising that all forms of domestic violence, including physical, sexual and psychological violence, are unacceptable and ensuring that there is effective legal protection for victims of domestic abuse. The Act provides a civil court process for the issuing of protection orders to people experiencing domestic abuse, and their children. Perpetrators named in protection orders are required to desist from further violence and to attend approved “stopping violence” programmes. The Family Court Proceedings Reform Bill, currently before the House, amends the Domestic Violence Act to increase the safety of victims and improve “stopping violence” programmes.

91 Police implemented the Ontario Domestic Assault Risk Assessment (ODARA) tool in July 2012. This actuarial tool predicts the likelihood of further intimate partner violence. The early evaluation of the ODARA in New Zealand has produced promising results, and confirms that the new approach to family violence risk assessment is an improvement on the previous system. The evaluation has provided valuable information about the way Police are using the tool, and identifies a number of opportunities to better fit the tool to the local context.

Recommendation 55: Increase efforts to combat all forms of violence against women

92 Since the previous review, legislative changes have increased the immediate protection for victims of domestic abuse. Police can now issue Police Safety Orders, under which an alleged perpetrator is removed from the family home for up to five days. The criminal courts are able to issue Protection Orders when sentencing domestic abuse offenders. This extends the protection of the Domestic Violence Act 1995 to people who may not have felt able to apply for a Protection Order through the civil court process.

93 In February 2013, the Government consolidated ministerial responsibility for the sexual violence sector with one senior minister, evidence of its commitment to improving services for sexual violence. In May 2013 Police, Te Ohaakii a Hine – National Network Ending Sexual Violence Together and other rape crisis specialists launched an information pamphlet for victims of sexual assault outlining the victim’s rights during an investigation and detailing the investigation process.

94 The Government is aware that existing marriage laws do not adequately protect women from forced underage marriage. While forced underage marriage and female genital mutilation are believed to be emerging issues in New Zealand there is a lack of hard data to quantify the scale of these issues, as victims rarely come forward because of cultural and safety reasons. Six agencies (Police; Child, Youth and Family; Work and Income; Family Community Services; Ministry of Education and Immigration New Zealand) signed a joint letter of agreement in December 2012 outlining an inter-agency response for victims of forced marriage.

(b) Children

Recommendations 50 and 51: Take further measures to ensure more effective protection of children against abuse or neglect (50); Effectively coordinate its efforts to prevent child abuse and provide the needed assistance in that area (51)

95 In 2012, the Minister for Social Development launched the White Paper on Vulnerable Children and the Vulnerable Children's Action Plan. The White Paper focuses on children at significant risk of abuse and neglect, while recognising the importance of universal and targeted services to promote child well-being and early intervention. It involves extensive and large scale reforms that will require significant changes across the health, education and social sectors. The Government will introduce a Vulnerable Children's Bill in 2013 to give effect to proposals in the White Paper. All agencies are committed to working together to implement the changes over the next ten years.

96 High rates of child poverty are cause for concern in New Zealand. In recognition of these issues, the Government is focused on addressing the needs of vulnerable and at-risk children and their families and has invested \$333 million over four years from 2010 in a combination of national and community-based initiatives. One example is the Government's \$9.5 million investment over five years to help extend the KickStart school breakfast programme. The programme will be extended to five days a week in decile 1-4 schools in 2013, and all schools will be eligible from 2014. The Government will also provide \$500,000 a year over three years to help charity KidsCan provide health products, raincoats and shoes for children in need.

### 3. Administration of Justice and the rule of law

#### (a) Legal Aid

97 The overarching purpose of the Legal Services Act 2011 is to promote access to justice. It does this by establishing a system that provides legal services to people of insufficient means and delivers those services in the most effective and efficient manner.

98 The Legal Assistance Amendment Bill is due to be passed in 2013. The Bill enables legal aid funding to be prioritised to those who have a greater need for legal assistance. This will be achieved in part by introducing changes to eligibility so that civil and family legal aid is less available to applicants in relatively higher income groups.

99 Practice standards for legal aid providers were introduced in 2011 to improve the quality of legal aid lawyers (including reports of language barriers and time constraints). Standards include improving client communication; ensuring sufficient time is available before taking on cases; and recognising cross-cultural issues.

Recommendation 47: On the issue of privatization of prison management, keep in mind the need to ensure the humane treatment of prisoners

#### (b) Correctional Services

100 The Corrections Act 2004 requires that all prisoners' sentences are administered in a safe, secure, humane and effective manner. Under the Act, privately managed prisons must comply with the same domestic laws and international standards relating to prisoner welfare and management

as publicly managed prisons. Private prisons must provide regular reports to the CEO of the Department of Corrections including details of prisoner complaints, incidents of violence or self-harm involving prisoners, disciplinary proceedings, escapes and attempted escapes, and prisoner deaths.

101 Privately managed prisons are subject to oversight by monitors appointed by the CEO, and can also be subject to specific investigations by experts within the Department if issues arise regarding the contractor's management of the prison or prisoners within their custody. The CEO is accountable at all times for the welfare and wellbeing of prisoners held in a privately managed prison or a prison managed by the Department.

Recommendation 49: Ensure separate juvenile detention facilities for all juvenile offenders

102 New Zealand has separate units for the small number of young male prisoners (2.6% of all prisoners) under the age of 18. There is no separate unit for female prisoners under the age of 18 because there have been fewer than five at any time, but they can be separated from the mainstream population where appropriate. All young prisoners are managed in a manner that takes into consideration their unique rehabilitative needs.

103 A joint thematic review of young persons in police detention was launched in December 2010 by the Independent Police Conduct Authority (IPCA) as part of a mandate under the Optional Protocol to Convention Against Torture. Recommendations include: continuing to work with the IPCA to improve conditions of detention and the treatment of young people in their custody; Police and Child, Youth and Family (CYF) developing information sharing protocols with specific regard to youth custody; considering the needs of young people when building any new/altering Police stations; Police/CYF reviewing how youth custody issues are treated to ensure the approach remains current and to provide on-going analysis and evaluation; and developing national guidelines on identifying and using local options for transporting young people between residences, their places of arrest and court. Police will introduce an electronic Youth Custody system in 2013, and will continue to work with IPCA on implementing these recommendations.

#### 4 Migrants, refugees and asylum seekers

##### (a) Trafficking in persons

Recommendation 56: Record and document cases of trafficking in women and children as well as exploitation of migrant women and girls in prostitution, and share the information with other countries in the region to facilitate greater cooperation in combating this problem

104 New Zealand adopted a whole-of-government Plan of Action to Prevent People Trafficking in 2009. The Plan includes action points on improving intelligence collection, sharing intelligence with international partners and engaging with international fora. Cabinet has recently agreed to make changes to New Zealand's trafficking framework by ensuring legislation clearly defines the elements of the trafficking offence; ensuring that the trafficking offence contains the elements of action, means and exploitative purpose; and removing the transnational element of the offence. It is intended that these amendments will be included in an Organised Crime and Anti-Corruption Bill that will be introduced in Parliament in 2013. New Zealand also plays a leading role in the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime to foster

cooperation in the region. New Zealand will continue to collect and share information on trafficking and exploitation as it arises. No people trafficking complaints were received in the past year.

## 5 Human rights and counter-terrorism

Recommendations 62 and 63: Drop the planned amendments to the Terrorism Suppression Act, which would broaden the definition of a terrorist act by reducing judicial oversight, allow courts to consider classified information without giving it to defendants and give the Prime Minister the sole responsibility for designating groups and individuals as terrorists (62); Reinforce the procedural guarantees in the anti-terrorist legislation and ensure that measures provided for by the law are applied in strict accordance with international human rights obligations (63)

105 New Zealand agrees that procedural guarantees in anti-terrorist legislation are vital and must be applied in accordance with international human rights obligations. The Terrorism Suppression Act 2002 (TSA) contains a range of procedural guarantees to ensure the protection of human rights and observance of international obligations. There are presently no proposals to amend or reduce the protections in the TSA.

## 6 Right to Health

106 Health is the second largest area of public spending (after education) with a budget of \$14.65 billion in 2013. New Zealanders are living longer lives, and spending longer in good health, but the health and disability sector faces significant challenges: an ageing population; new technology; new medicines; and more people living longer with multiple, long-term conditions. Disparities in health outcomes for Māori and Pacific remain unacceptably high as well as for other groups within the population including refugees, older people and vulnerable children. New Zealand's youth suicide death rates remain high compared to OECD countries.

107 UPR consultations highlighted concerns around New Zealand's abortion laws. In New Zealand it is a criminal offence to perform an abortion in circumstances other than those prescribed by law. The law allows abortion to be performed up to 20 weeks into a pregnancy if there is serious danger to the life or to the physical or mental health of the woman. An abortion that is performed more than 20 weeks into a pregnancy is lawful only if it is necessary to save the life of the pregnant woman or prevent serious permanent injury to her physical or mental health. The Government acknowledges that there are a range of other factors associated with unwanted pregnancy, and that the issue remains socially and culturally divisive.

108 New Zealand has a highly mobile but ageing health and disability workforce. Rising demand in aged care, mental health and rehabilitation services mean that recruitment and retention of staff in these areas is a priority at the national level and for individual employers. Current skills shortages are most notable in rural areas and in some smaller specialities such as medical physics, sonography and medical radiation. Targeted initiatives are in place to address these recruitment and retention challenges.

## 7 Refugees and Asylum Seekers

109 New Zealand is one of a limited number of countries that accepts for resettlement an annual quota (750, plus or minus 10%) of refugees referred by the United Nations High Commissioner for

Refugees (UNHCR). New Zealand has agreed to resettle, as part of the quota, up to 150 refugees annually who are subject to Australia's offshore processing legislation and have been granted refugee status, as a practical demonstration of our commitment to regional cooperation on migration, asylum and humanitarian issues. New Zealand values the work of the UNHCR and will continue to engage with it in resettling refugees through the Refugee Quota Programme.

110 The Immigration Amendment Bill has been passed and enacted. The Bill and associated policy measures aim to ensure New Zealand is able to manage effectively and efficiently a mass arrival of irregular and potentially illegal migrants, and to make New Zealand a less attractive destination for people smugglers.

111 The Mangere Refugee Resettlement Centre, which plays a crucial role in helping refugees adapt to their new life in New Zealand, will be rebuilt. A new purpose-built facility will be built to accommodate 192 beds, with provision to accommodate up to 300 people in the event of a mass arrival. It will be built in stages, so it can continue to receive quota refugees under New Zealand's Refugee Quota Programme.

#### B. Key national priorities, initiatives and commitments

The key priorities of the New Zealand Government as noted in the present report are:

1. Strengthening the partnership between Government and Māori by continuing to support Māori to realise their potential and continuing the momentum on achieving fair, just and durable settlements of historical claims under the Treaty of Waitangi;
2. Improving the protection of children against abuse and neglect;
3. Reducing violence within families and its impact on women and children;
4. The on-going implementation of the Convention on the Rights of Persons with Disabilities (including accession to the Optional Protocol and the New Zealand Disability Strategy);
5. Advancing the Constitutional Review process; and
6. Ensuring the human rights impacts of the Canterbury Earthquake are mitigated and accounted for in the on-going decisions around the rebuild.