



# Submission of Access Matters Aotearoa on the Draft New Zealand Disability Strategy 2026-2030

## Introduction

The Access Matters Aotearoa (AMA) submission has been enriched by collaboration and insights of the disability community in Aotearoa including colleagues from Enabling Good Lives (EGL) and the Disabled Persons Assembly NZ (DPA), supported by Whaikaha. We are grateful to the National Foundation for the Deaf and Hard of Hearing (NFDHH) for sharing their submission with us and acknowledging our advocacy for disability law and policy reform in New Zealand. There has been opportunity to align on themes, identify areas for mutual support, and adopt common language to amplify our collective impact. This spirit of partnership reflects the strength and unity of our shared commitment to accessibility and person-centred laws and policies for Aotearoa including a human rights-based and Te Tiriti o Waitangi (Te Tiriti)-upholding disability strategy that enables good lives.

In September, supported by EGL, the DPA and Whaikaha, we hosted an online feedback session on the NZ Disability Strategy (the Strategy), following several Kōrero for Change on core areas of the strategy - education, employment, health, housing and justice in the preceding year. Direct quotes from participants and insights from the feedback session are included in this submission.

Transcripts, an insights summary and breakout room notes from the feedback session are [here](#).

## Overall comments on the draft NZ Disability Strategy from AMA:

While the draft Strategy's aspirations are welcome, it risks becoming another rhetorical document without enforceability, measurable targets, and resourced accountability.

As noted below, the EGL principles created by and for disabled people, together with Te Tiriti and New Zealand's human rights commitments under domestic and international law, ground the Strategy in the leadership and participation of disabled people. The EGL principles are a stronger, simpler, and community-owned foundation than the overlapping (and duplicated) vision, principles and cross-cutting themes. Like the EGL and DPA communities, and the NFDHH and other submitters, we urge Whaikaha to include EGL principles of:

- Self-determination



- Beginning early
- Person-centered
- Ordinary life outcomes
- Mainstream first
- Mana enhancing
- Easy to use
- Relationship Building

Other changes that need to be made to the Strategy include:

- The need for a people-centred approach to disability and rights-affirming language that replaces (unintentional) deficit language. Recognising the social model of disability, the Strategy must embrace ‘nothing about us without us’, and centre disabled people’s dignity. The Strategy’s own language around access, choices and control can replace ‘normalising’ disability and address ableist assumptions. Inaccessibility should be named as the ‘wicked problem’ to solve via systems-wide law and policy reforms; using plain language to replace academic terms, e.g instead of ‘intersectionality’, use ‘barriers to accessibility’.
- Disabled people must be recognised as leaders, decision-makers, and equal citizens and residents contributing to Aotearoa’s economy and society.
- There is a need for goals with targeted investment, and measurable outcomes, timeframes and resources. Many goals under outcome areas lack specificity around financial and human resources, measurable outcomes, timeframes and accountability to ensure they are achieved. These goals must recognise barriers and include measures to address these, to frame inaccessibility as a systems issue to be solved by structural change - not by individuals. While goals may be included in an action plan to accompany the Strategy, they should be signalled by the Strategy with clarity on who is accountable for achieving them, by when, by what measures, and how we may know ‘what enabling good lives looks like’.
- The Strategy must widen its focus areas to encompass all areas of the economy and society where accessibility is essential for disabled people. These focus areas include digital, natural and built environments, and wider human rights which are recognised in the ‘International Bill of Rights’, including the UN Convention on the Rights of Persons with Disabilities (UNCPRD). The Strategy’s outcome areas of education, employment, health, housing and justice are a starting point but again are shaped by positioning disabled people as service users rather than equal citizens and residents. There is a need to include focus areas like: digital environments;



pathways to accessing education, employment, health and disability care, housing and justice services; built and natural environments; private and non-profit sector goods and services including those contracted by the government, including economic and social services.

- The Strategy's cross-cutting theme of data should include data sovereignty, legal obligations, and access to tools such as generative language models and artificial intelligence (AI). The Government's Digital and AI strategies are a starting point. Data indicators can be co-designed with disabled people.
- Natural environments are areas where disabled people deserve access, control and choice as leaders and participants in the natural environment – including public parks, natural resources spaces in urban and rural areas, and privately owned nature services including for leisure and tourism. Protecting the natural environment | te taio is also fundamental to Te Tiriti and part of the government's obligations to tāngata whaikaha Māori and their whānau, hapū, and iwi.
- While housing was acknowledged as a critical area of focus, the built environment is wider than housing. Built environments encompass public and private buildings including schools, universities, tertiary institutes, vocational training centres and all places of education, workplaces and community and volunteering organisations, hospitals, primary and community clinics and health and disability service providers etc. Accessibility of built environments, including public and private buildings, is central to a meaningful Strategy and there is significant leadership by the disability community in co-creating access to these environments.
- Participants in the feedback session noted the critical area of transport is a core area missing from the Strategy. Accessible transport systems across the country are critical in themselves and enable disabled people and everyone to access critical goods, services, and environments across all areas of life.
- Economic, social and cultural rights that enable accessible education, workforce participation (with 72% of disabled people who do not work expressing a desire to work), access to health and disability care, and to other economic, social and cultural services. These rights are recognised in the UNCRPD and the International Bill of Rights (including the International Covenant on Economic, Social and Cultural Rights), and related international and domestic human rights laws. These are wider than the Strategy's education, employment and health outcome areas and principles of 'equity, cultural inclusion and intersectionality'. Recognising disabled people's economic, social and cultural rights reflects the values and diversity of disability culture(s), in addition to traditional ideas of culture and ethnicity.



- Civil and political rights including community and civic participation, which again are recognised in the UNCRPD and the International Bill of Rights including the International Covenant on Civil and Political Rights (ICCPR). This is wider than justice, which is framed in the Strategy via a criminal justice and correctional lens. Upholding disabled people’s civil and political rights involve enabling disabled people’s leadership in our communities and ensuring participation and inclusion in civic and political life. The Strategy must address tangible lack of disabled people’s participation and leadership in public life in New Zealand - in local and national government and politics, community leadership, and public spaces.
- In our feedback session, housing was seen as foundational to wellbeing, while employment, education, and justice require enforceable action. Confidence in the strategy’s ability to drive meaningful change will depend on legislative levers, plain language, robust data systems, and embedding disabled leadership throughout the design, delivery and monitoring of the Strategy.

### **Proposed vision for the NZ Disability Strategy**

The New Zealand Disability Strategy should uphold human rights, Te Tiriti o Waitangi (Te Tiriti) and the leadership of disabled people in Aotearoa via the Enabling Good Lives (EGL) Principles. The Strategy should ensure access, choice and control for disabled people including tāngata whaikaha Māori, their whānau, and communities. Accessibility is a human right to be enabled for everyone, everywhere, to live a good life.

Other insights from the feedback session were around support for aspirational terms (to thrive, to lead), and concern around a lack of clarity and accountability. There would be a need to define ‘accessible’ (Access Matters Aotearoa is revising a draft accessibility bill that could be useful in this regard), as well as a concern that disabled people had not truly led the strategy process.

### **Proposed foundation for Principles and Cross-Cutting Issues in the Strategy**

Three interlocking frameworks are proposed as foundations for the NZ Disability Strategy – the base of the whare | meeting house to house the principles, outcome areas and goals.

1. The EGL principles were consistently listed by the disability community as foundational to a NZ Disability Strategy and could replace or at least add to the proposed principles and issues.
2. Te Tiriti o Waitangi. The Strategy needs to acknowledge the te reo Māori version of Te Tiriti o Waitangi as the version of Te Tiriti o Waitangi | the Treaty of Waitangi that takes precedence. Upholding Te Tiriti recognises obligations for the Crown to tāngata whaikaha Māori and whānau. These obligations are part of the unwritten constitution of Aotearoa New Zealand.
3. New Zealand’s human rights commitments, including domestic and international human rights law (the below is not an exhaustive list but a starting point). These reflect New Zealand’s



leadership on human rights including disability rights on the world stage, led by Aotearoa's disability community and supported by disabled and non-disabled people as allies:

- Domestic human rights law includes the NZ Bill of Rights Act 1990, the Human Rights Act 1993, the Health and Disability Commissioner Act 1994 and accompanying Code of Health and Disability Services Consumers' Rights, and related laws relevant to accessibility including: the Accident Compensation Act 2001; the Education and Training Act 2020; the New Zealand Public Health and Disability Act 2000; The Pae Ora (Healthy Futures) Act 2022; the Building Act 2004 and Building Code; the Employment Relations Act 2000 and Health and Safety at Work Act 2015.
- International human rights law includes the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) which is part of the 'International Bill of Rights', which includes the Universal Declaration on Human Rights; the Declaration on the Rights of Indigenous Peoples (UNDRIP), the International Conventions on Economic, Social and Cultural Rights (ICESCR) and Civil and Political Rights (ICCPR); the Rights of the Child (UNCROC); Elimination of Discrimination against Women (CEDAW); Elimination of All Forms of Racial Discrimination (ICERD); against Torture (CAT); and Optional Protocols, and normative commitments e.g. UN Principles on Older Persons.

Insights from the feedback session relevant to the Principles included:

- The terms were overly complex, jargon-heavy; words like 'intersectionality' confusing.
- There was a strong call to adopt Enabling Good Lives (EGL) principles instead.
- There was a missing focus on family/whānau, leadership, advocacy, and agency.

### **Cross-Cutting Issues**

- There seemed to be confusion over the Strategy's purpose; which was seen as bolted-on.
- Accessibility should underpin all areas, not siloed. Its centrality is evident in Accessibility being both a Principle and a Cross-Cutting Issue.
- Data is critical for funding and accountability, but the current approach was seen as weak. It would be important for the Strategy to have concrete commitments to investing in gathering and sharing better disability data at least in the outcome areas.

### **Confidence in Change can be achieved via SMART actions and co-governed reporting with DPOs**

- Participants were sceptical of impact without enforcement and clear accountability. Each outcome area must have SMART (specific, measurable, achievable, relevant and time-



based) actions, with clear owners, budgets and resources, and accessible public reporting co-governed by disabled persons organisations (DPOs)).

- Adequate resourcing is essential – without it, the strategy risks becoming aspirational rather than transformational. There should be clarity on government funding- what are new initiatives specific to disability, and what are mainstream and/or pre-existing investments.
- The tone of the Strategy was described as ‘buzzwords strung together’, with ableism and systemic barriers absent from the draft. Priorities seemed to be Ministerially driven instead of community-set.

The principles of Equity, Cultural Inclusion and Intersectionality should be reformed, with Equity as a standalone principle, Cultural Inclusion replaced by Disability Justice, and Intersectionality replaced by ‘Removing Barriers for Disabled People’. The rewording may better address intent.

Equity as a standalone principle:

- Equity is about fair outcomes and recognising that different people with different levels of advantage require different approaches and resources to get equitable outcomes. In the area of health for instance, the Ministry of Health | Manatū Hauora (MoH) recognises that differences in health may be not only available but unfair and unjust.<sup>1</sup>
- Equity for disabled people is about more than cultural equity and encompasses equitable outcomes across all areas of life – and so should be a standalone principle.
- In the Aotearoa New Zealand context, equity includes respecting Te Tiriti and for the NZ Disability Strategy, the obligations of the Crown towards tāngata whaikaha Māori | disabled Māori, whānau haua | their families, and all disabled people.

Cultural Inclusion replaced by Disability Justice (including for culturally diverse disabled people)

- The framing of Cultural Inclusion seems to focus on including ethnic minoritised communities of disabled people, whereas Inclusion is already a separate principle that should encompass inclusion of all disabled people including ethnic minoritised disabled people. Disability has a rich cultural history that transcends just ethnicity. Disabled people have cultural diversity across different communities that should be recognised, affirmed and celebrated.
- Culture also extends beyond ethnicity and in the context of disability includes a range of disability cultures including D(d)eaf culture, and more recently movements like anti-psychiatry, ex-patient and Mad movements. Women and trans people have advocated for

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<sup>1</sup> See: <https://www.health.govt.nz/strategies-initiatives/programmes-and-initiatives/equity>



chronic conditions to be recognised as part of the disability community, and the disability community in Aotearoa is making space for disabled people disproportionately experiencing racism, exploitation, violence, and environmental harm including tāngata whaikaha Māori and whānau haua, tagata sa'ilimalo | Pacific disabled people, nofo-a-kainga | their families and tautua soifua | carers and supporters, disabled people of Asian and MELAA (Middle Eastern, Latin American and Caribbean, and African) descent, Rainbow people, etc.<sup>2</sup>

- Disability Justice is a more inclusive term created by the disability community which goes beyond cultural inclusion. Disability justice transcends merely providing accommodations and advocates for an interdependent future where disabled people and allies have the resources and opportunities to thrive. The core principles of disability justice include:<sup>3</sup>
  1. Intersectionality – for people with disabilities, this means acknowledging that factors like race, gender, and socio-economic status impact their experiences.
  2. Anti-ableism – promotes an understanding that disability is part of human diversity – which shifts society’s approach to care and support at individual and systemic levels.
  3. Collective access – ensuring communities are accessible for all, not just accommodating individual needs, emphasises that access is a shared responsibility involving the collective effort of communities, organisations and governments.
  4. Recognising wholeness – seeing people with disabilities as complete individuals, not defined by their impairments, embracing the social model of disability.
  5. Sustainability – long-lasting solutions that are supportive over time. There is a need for systems, policies, and practices that are not only equitable but also sustainable for future generations. One example, which was emphasised by participants in the AMA feedback session, was sustainable housing that is accessible and uses universal design for disabled people can provide lasting support for disabled people to thrive throughout their entire lives.
  6. Leadership of those most impacted – disabled people should lead change. The people most affected by oppressive systems are best equipped to design solutions that work for them.

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<sup>2</sup> Alexis Buettgen and Rachel Gorman, 'Disability Culture', in M. Zangeneh, A. Al-Krenawi (eds.), Culture, Diversity and Mental Health - Enhancing Clinical Practice, Advances in Mental Health and Addiction, [https://doi.org/10.1007/978-3-030-26437-6\\_3](https://doi.org/10.1007/978-3-030-26437-6_3)

<sup>3</sup> See: <https://www.fordfoundation.org/news-and-stories/videos/disability-demands-justice/social-justice-whats-disability-got-to-do-with-it/#:~:text=There%20is%20no%20justice%20without%20disability,-Over%20one%20billion&text=To%20create%20a%20truly%20inclusive,cannot%20exist%20without%20disability%20justice>. See also: <https://togetherforsocialjustice.com/what-is-disability-justice/>



7. Interdependence – disabled and non-disabled people alike support each other to create fairer societies. This recognises the importance of mutual support and challenges independence as a goal, emphasizing that interdependence is a more realistic and healthier model.
8. Collective liberation – disability justice is linked to progressive realisation of all human rights.

Intersectionality replaced by ‘Removing Barriers for Disabled People’ or similar plain language:

- Intersectionality is already included in the wider understanding of ‘disability justice’. Instead, we suggest ‘removing barriers for disabled people’ or similar more accessible language.
- An understanding of barriers to accessibility would require these to be addressed via enforceable minimum standards and accountability mechanisms for failure by actors to address barriers that make areas of life and environments inaccessible for disabled people.
- Removing Barriers for Disabled People should be protected as a right, and not an ‘optional extra’. The Strategy should commit to embedding enforceable accessibility standards in legislation, aligned with a proposed accessibility law with mandatory accessibility requirements and accountability mechanisms including regulatory oversight.
- Universal Design principles should be applied across housing and all built environments, transport, communications, digital platforms and digital environments, the travel and tourism sector, the natural environment e.g. public parks and all public spaces. The expertise and leadership of disabled people and disabled people’s organisations (DPOs) in promoting Universal Design should be a starting point for introducing mandatory Universal Design principles to address Barriers to Accessibility. Local and international good practices from resources like the [Zero Project](#) (peer reviewed research of 1500+ good practices) and laws from similar jurisdictions like Australia, Canada and the United States are helpful resources.
- Any accessibility law should have not just mandatory standards, but a positive vision supported by public education and awareness-raising to make people aware of barriers, mobilise action to remove them, and celebrate wins along the way on a collective journey.<sup>4</sup>

## **Outcome areas and goals must reflect the lived experiences of disabled people**

A non-exhaustive list of domains and areas of life that could be included in a comprehensive accessibility law, under which a resourced Disability Strategy and Action Plan would ideally sit,

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<sup>4</sup> Warren Forster, Tom Barraclough, and Curtis Barnes ‘Making New Zealand Accessible: a Design of Effective Accessibility Legislation’ (independent report), 2021, available at: [https://forster.co.nz/assets/main/report-assets/making\\_aotearoa\\_new\\_zealand\\_accessible\\_report\\_30\\_sep\\_2021\\_.pdf](https://forster.co.nz/assets/main/report-assets/making_aotearoa_new_zealand_accessible_report_30_sep_2021_.pdf) [Forster, Barraclough, Barnes].



are summarised by Warren Forster, Tom Barraclough and Curtis Barnes in their NZ Law Foundation-funded report on an effective accessibility legislation in 2021:<sup>5</sup>

- Housing
- Procurement (a major lever across both central and local government)
- Employment
- Transportation
- Digital and information systems
- Broadcasting and communication
- Educational
- Attitudinal
- Hospitality
- Retail (access to goods and services)
- Customer service
- Political and democratic processes
- Access to justice processes
- Supported decision-making
- Health [and disability service] systems
- Social support systems and social welfare [and social protection]
- Building compliance
- Consultation
- Justice systems including court processes and non-court processes

Other areas identified by AMA via our Kōrero for Change series based on the lived experiences and expertise of disabled people, engagement and voices of the disability community, as well as advocacy and policy work, include:<sup>6</sup>

- Climate and the natural environment | te taio
- Emergency Response

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<sup>5</sup> Ibid.

<sup>6</sup> See: <https://www.accessmatters.org.nz/koreroforchange>.



- Travel and tourism
- Banking and financial services

While we recognise that the Strategy may not be able to focus on all the above areas, an effective accessibility law would enable the Strategy and related policies including future strategies and action plans to address these areas of life identified by disabled people in Aotearoa.

### **Education:**

- The goal for Education should shift high expectations from learners and ākonga, including disabled people, to the education system. Everyone can achieve their potential in their chosen educational setting via an accessible system that enables people to learn well.
- The Strategy celebrates that the Census 2023 shows that disabled people aged 15 plus have higher levels of education of bachelor's degrees or higher and are less likely to have no qualification. These statistics should be monitored (despite removal of the Census) to track the system's progress in enabling disabled learners and ākonga to gain the education they seek. The data collection could be widened to include vocational and other qualifications.
- While early intervention investment was welcomed, the feedback session noted a missing focus on life-long learning, transitions across education systems and pathways at different ages and stages of learning, and accountability of schools and leaders.
- The Strategy should commit to removing systemic barriers to participation in education for all disabled learners and ākonga including those who are D(d) eaf, hard of hearing, blind, low vision, neurodivergent, have intellectual disabilities, and/or learning disabilities.
- Changing our education system will require cooperation between government, the disability community and private and non-profit and community sectors. Any actions must involve relevant government agencies and Crown entities including: Whaikaha | the Ministry for Disabled People, the Ministry of Education (MoE), the Ministry of Business, Innovation and Employment (MBIE), the New Zealand Qualifications Authority (NZQA), the Tertiary Education Commission (TEC), Mana Mokopuna | the Children's Commission; and any accessibility regulatory bod(ies) monitoring and ensuring accountability for mandatory education standards.<sup>7</sup>
- Accessible education where disabled children | tamariki and young people | rangatahi as learners and ākonga, and their whānau including carers, can thrive, could look like:

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<sup>7</sup> Please note this is not an exhaustive list.



- Mandatory training for teachers and educators on disability rights and accessibility, both in tertiary and vocational training institutes and in continuing professional development that is properly resourced and supported at all schools, kura kaupapa and kohanga reo, and places of education including correspondence/ home schooling.
- Better resourcing of specialist supports within mainstream and non-mainstream education settings, including NZ Sign Language (NZSL), Braille and other language and communication supports.
- Removing barriers in the built environments of all places of learning. Government procurement and investment in education infrastructure is a major lever for change.
- The voices of disabled learners and ākonga and their whānau should be included in co-designing accessible education in line with New Zealand’s human rights commitments, Te Tiriti, EGL principles and Universal Design principles.
- Education on disability rights, language(s) including NZSL and Braille, and the EGL Principles should be delivered to all learners and ākonga in New Zealand.
- Any monitoring of education goals should ensure accountability is on education systems leaders and decision-makers and not individual disabled learners and ākonga and their whānau including carers, as well as teachers, educators and support staff.
- Public education and awareness-raising are also essential to disability-inclusive education. While this would ideally be mandated under an accessibility law, an effective Strategy should include a wider view of education e.g. public information and media campaigns, action-oriented research on accessible education etc.<sup>8</sup>

## **Employment**

- The goal needs to be bolder and recognise the shared responsibility of employers, required by minimum standards under accessibility legislation, to make workplaces accessible for disabled people and everyone. Employment goals must:
  - End minimum wage exemptions
  - Require employer accessibility standards
  - Set public sector targets for disabled leadership
- The government as a major employer and investor/procurer of work-related services can help lead the way as an accessible employer and spur culture change in the private, non-

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<sup>8</sup> Forster, Barraclough, Barnes.



profit and community sectors. In addition to leadership targets, there should be concrete actions to lift representation of disabled people at all levels of public sector work.

- Participants in the feedback session noted that minimum wage exemptions remain barriers to disabled people being paid fairly for their work. There is a need for systemic employer responsibility, leadership roles and supported employment for disabled people. Social welfare systems must incentivise and not penalise paid work – this includes not just benefits but access to accessible housing and other supports.
- Despite mentioning ‘employment’ 54 times, the Strategy needs SMART actions to meet rising rates of disabled people with higher levels of education who wish to work, including from Māori, Pacific, Asian and other communities with growing working-age populations. New Zealand needs skilled workers especially with specific sector shortages, an ageing and increasingly disabled population and rising outmigration.
- Government agencies and Crown entities involved in employment should collaborate with the private and non-profit sectors, including: Whaikaha; MBIE (supported by the Workforce Development Councils), the Ministry of Social Development (MSD); and agencies with expertise in employment for disabled people e.g. Workbridge.
- An appropriately ambitious goal and actions would harness the untapped potential of disabled people who are un- or underemployed and seek (more) paid work. In 2017, NZIER calculated a fiscal benefit of NZD 1.45 billion if the labour force participation rates of people with and without disabilities were equalised, and in 2016 Malatest International estimated the opportunity cost of excluding disabled people from the workforce was NZD 11.7 billion. There are real benefits of lifting access to jobs for disabled people.<sup>9</sup>
- There is a need to deliver, monitor and upscale lessons from the large and growing evidence base already developed by the disability community, government, and the private sector – with just a few recent examples being:
  - Led by the DPO All is For All with Workforce Development Councils in sectors facing worker shortages (construction, infrastructure, engineering, manufacturing and logistics the ‘[Let’s level up](#)’ has practical solutions like providing accessible and affordable transport and wraparound support for disabled employees.<sup>10</sup>

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<sup>9</sup> See, e.g. [https://www.nzier.org.nz/hubfs/Public%20Publications/Client%20reports/valuing\\_access\\_to\\_work.pdf](https://www.nzier.org.nz/hubfs/Public%20Publications/Client%20reports/valuing_access_to_work.pdf) and <https://hangaarorau.nz/unlocking-potential-what-the-research-tells-us-about-the-current-enablers-of-employment-for-disabled-people/>

<sup>10</sup> See: <https://www.waihangaarorau.nz/wp-content/uploads/2024/11/Lets-level-up-KEY-FINDINGS-11-24.pdf>



- In the private sector, the work of the Disability Employment Forum and Business NZ on disability confident employers to ‘unlock the hidden talent pool’<sup>11</sup> in our labour market.
- Research by IHC on the cost of exclusion for intellectually disabled (ID) people, which found that adults with ID were much less likely than other adults to be working and were less likely to live in a household where people worked throughout their lives. Many whānau carers of people with ID reported reducing working hours or leaving paid work altogether due to caregiving demands, which disproportionately fell on mothers, who were more likely to have interrupted careers, with resulting financial marginalisation.<sup>12</sup>
- Community and sector-specific initiatives should be replicated in rural and urban areas to lift employment of disabled people especially in sectors where they are underrepresented and seeking work, from entry-level roles to leadership and governance positions.

## Health

- There is a need for the goal and actions to reflect the agency and voices of disabled people and whānau including carers – insights from the feedback session indicated a provider-centric approach that needs to embed supported decision-making and equity. An accessible health system must be mandated in design and delivery under an accessibility law, supported by a Strategy and Action Plan and there are some positive actions listed.
- Core government agencies and Crown entities involved could include: Whaikaha; MoH; Health NZ Te Whatu Ora; ACC; Disability Support Services (DSS) at MSD; the Health Quality and Safety Commission | Te Tahū Hauora (HQSC); the Health and Disability Commissioner (HDC); and the Health Research Council (HRC). These agencies would collaborate with private and community health providers including DPOs and disability service providers including for kaupapa Māori, Pacific, ethnic, Rainbow and takatāpui, urban and rural communities, disabled older people, disabled women etc.
- An accessible health and disability care system(s) under the Strategy could look like:
  - Equitable access to timely, affordable and culturally safe healthcare in accordance with human rights laws, Te Tiriti, EGL principles and Universal Design principles. This could be supported by a finalised Strategy on the Health of Disabled People under the Pae Ora (Healthy Futures) Law, replacing the interim strategy. The

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<sup>11</sup> See: <https://www.businessnz.org.nz/wp-content/uploads/2022/07/The-Hidden-Talent-Pool.pdf>

<sup>12</sup> See: [https://cdn.prod.website-files.com/628455c1cd53af649dec6493/687884cf8991d9c715b7d783\\_The%20Cost%20of%20Exclusion%20Hardship%20and%20People%20with%20Intellectual%20Disability%20in%20New%20Zealand.pdf](https://cdn.prod.website-files.com/628455c1cd53af649dec6493/687884cf8991d9c715b7d783_The%20Cost%20of%20Exclusion%20Hardship%20and%20People%20with%20Intellectual%20Disability%20in%20New%20Zealand.pdf).



disability community is the only population group with a mandated strategy under this law that does not yet have a finalised health strategy.

- Removing barriers to accessing care across different systems e.g. between ACC, Health NZ Te Whatu Ora, and Disability Support Services (DSS) at MSD. These differences must be addressed including for disabled older people, who report a double invisibility through being disabled and ageing (resulting in losing access to disability support and being subsumed into general older people's services).<sup>13</sup> Other suggestions include expanding ACC and MSD coverage for hearing and eye health, as well as considering accessibility and affordability of dental and oral healthcare.
- Embedding lessons on flexible funding from the review of DSS.<sup>14</sup>
- Ensuring adequate interpretation support for disabled people including NZSL and other language support e.g. Braille, Easy Read, and other accessible formats to communicate health information and services.
- Providing workforce education and training in disability responsiveness. This includes educating health and disability professionals from mandatory tertiary and vocational education to on-the-job training and CPD.<sup>15</sup>
- Integrating mental health and disability care that centres the lived experiences of disabled people and tangata whai ora | people seeking mental wellbeing, and people affected by mental health and addictions.
- Delivering accessible digital infrastructure and environments for healthcare. This includes improved health and disability service data – recording accessibility needs in the National Health Index is a positive step that avoids repeated retelling of lived experiences. A unified national clinical records system with accurate disability data shared across public, private and non-profit health providers (as recommended by the Aged Care Commissioner and Health and Disability Commissioner), would also be critical to improving healthcare data.
- Investing in public health promotion and education on disability rights, including funding partnerships between DPOs and disability service providers.

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<sup>13</sup> See: <https://thespinoff.co.nz/society/25-08-2023/riding-the-silver-tsunami-as-a-disabled-new-zealander>

<sup>14</sup> See: <https://www.disabilitysupport.govt.nz/assets/consultation/5-Feb-Exec-summary-analysis-of-issues-consultation.pdf>.

<sup>15</sup> Amy Hogan, Neera R Jain, Roshini Peiris-John, Shanthi Ameratunga 'Disabled people say nothing about us without us' The Clinical Teacher (Vol 17, Issue 1) February 2020, available at: <https://asmepublications.onlinelibrary.wiley.com/doi/abs/10.1111/tct.13022>



- Incorporating Universal Design Principles into all health built infrastructure services including investments in hospitals, primary and community care, disability-specific and mainstream health providers.
- Supporting transitions of care especially for disabled people facing major health events and/or challenges through the life course, as recommended by the Aged Care Commissioner.<sup>16</sup>
- Improving home and community support services (HCSS) for disabled people including consistent quality care delivered nationally, better data collation and monitoring of HCSS care providers, workers and services delivered.<sup>17</sup> Upcoming changes to HCSS provided by Health NZ including removal of domestic and household 'non-clinical' care for disabled people should be carefully monitored.

## Housing

- Housing remains foundational to the Strategy and while the goal is commendable, current actions lack strength and enforceability of mandated standards, and SMART actions. As a start, essential changes include:
  - Universal Design mandated for planned and new built environments including housing in accessibility lawn, the Building Code and relevant laws and regulations
  - Retrofitting of existing housing stock
  - Regulatory reform to remove barriers, across central and local government
- Disabled people face affordability challenges due to lower incomes and higher reliance on rentals. New Zealand is behind other OECD countries in not having mandatory accessibility requirements for new builds.<sup>18</sup>
- Core government agencies and Crown entities involved could include: Whaikaha; MSD; MBIE; the Ministry of Housing and Urban Development (HUD); Kāinga Ora Homes and Communities; MoH; ACC; the Office for Disability Issues and local government; working with Building Research Association of New Zealand (BRANZ), Standards New Zealand (SANZ); the private building and construction industry; and community housing providers.
- An accessible housing system under the Strategy could look like:
  - Enforcing minimum requirements for all new builds, whether public or private.

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<sup>16</sup> See: <https://www.hdc.org.nz/our-work/aged-care-commissioner/amplifying-the-voices-of-older-people-in-aotearoa-new-zealand/>

<sup>17</sup> Ibid.

<sup>18</sup> MBIE, *Building for Everyone: Designing for Accessibility* (2022).



- Future government investment and procurement in social housing including temporary and emergency accommodation to ensure accessibility via Universal Design. The Strategy could draw on the excellent [resource collection](#) by government agencies and BRANZ that complements Building Code standard [NZS 4121:2001 Design for access and mobility - Buildings and associated facilities](#). Research by BRANZ shows it is much cheaper and less disruptive to build universal design into new homes than to retrofit the same homes later. The average extra cost of equipping a new house with universal design when it is being built is nearly 10 times less than retrofitting the house with these features later.<sup>19</sup>
- Retrofitting existing homes of disabled people. Despite the cost, there is a need to retrofit existing housing to be accessible, with priority to people facing the greatest barriers and/or living in areas with reduced housing stock across private rentals and social housing. This is especially important for disabled older people, who like most older people wish to age in place in their homes and communities.
- Building and retrofitting the digital environment for housing and built environments, including access to housing services and support across public and private sectors.
- Partnering with community housing providers including for tāngata whaikaha Māori, and whānau haua, tagata sa'ilimalo | Pacific disabled people, nofo-a-kainga | their families and tautua soifua | carers and supporters, and ethnic communities, to deliver culturally safe accessible housing solutions
- Removing barriers to building accessible housing including reforming laws and regulations and simplifying central and local government processes
- Inclusion of disabled people who have previously lived in institutions and disabled people who are or may have been unhoused (have experienced homelessness) and experienced housing insecurity
- Mandatory education for building, construction, housing and urban design professionals on accessible housing and Universal Design including vocational and tertiary education, on-the-job training, and CPD.
- Funding and supporting DPOs and disabled people specialising in Universal Design to support the public, private and non-profit sectors to increase accessible housing stock and diversity in New Zealand.

## Justice

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<sup>19</sup> See: <https://www.branz.co.nz/universal-design/>



- The area of Justice must be reframed to:
  - Encompass civil and political rights
  - Progress supported decision-making for disabled people and whānau
  - Ensure Adequate safeguarding laws, policies and practices
  - Urgently reform outdated human rights laws and better resource justice and accountability mechanisms to ensure just outcomes for disabled people.
- Reforming the New Zealand Bill of Rights Act 1990, the Human Rights Act 1993 and core justice sector laws to incorporate the UNCRPD could be priority actions under this area.
- Disabled people are more likely to be victims of crime (39% vs 30% of non-disabled), with even higher risks for tāngata whaikaha Māori (53% victimisation rate).<sup>20</sup> Lifetime sexual assault prevalence is 41% for disabled people compared with 24% for non-disabled.<sup>21</sup>
- The Royal Commission of Inquiry into Abuse in Care found that D(d)eaf and disabled people disproportionately experienced abuse.<sup>22</sup> Justice sector staff often lack disability competence, while outdated laws such as the Criminal Procedure (Mentally Impaired Persons) Act create inequities.<sup>23</sup>
- Core government agencies and Crown entities involved in co-creating an accessible justice system could include: Whaikaha; the Ministry of Justice and the courts; the Department of Corrections; the New Zealand Police; the Crown Law Office; the Serious Fraud Office; Oranga Tamariki; the Office of the Ombudsman; the Human Rights Commission; the Law Commission; the Privacy Commissioner; the Chief Victims Advisor; and the Independent Police Conduct Authority. These agencies could collaborate with disabled people and DPOs, community law centres including specific disability centres e.g. Auckland Disability Law, the Law Foundation, among others.
- An accessible justice system could look like:
  - Guaranteeing equal access to justice through communication assistance including interpreters (like those recommended for health services), accessible information, and training for police, courts, and corrections staff.

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<sup>20</sup> NZ Crime and Victims Survey (2023).

<sup>21</sup> Ibid.

<sup>22</sup> Royal Commission of Inquiry into Abuse in Care, *Final Report* (2025).

<sup>23</sup> Law Commission, Review of the CPMIP Act (forthcoming).



- Recognising the need for disabled people’s agency, leadership and voice in the justice system as leaders, with funded and supported pathways for disabled leadership across the justice system.
- Building and retrofitting the built and digital environments for the justice system including accessible courts, police stations, correctional facilities and spaces where disabled people interact with justice systems, including youth justice services.
- Ensuring safeguarding policies are mandated across the justice system at all levels, with DPOs resourced and supported to support independent monitoring of safeguarding systems.
- Addressing the overrepresentation of disabled people in the criminal justice system, including people with mental health and addictions issues, including Māori, Pacific, disabled children and youth in the justice system.
- Ensuring disabled survivors of violence can access accessible, safe services and redress and that DPOs supporting disabled people to access these services are adequately funded and resourced to support survivors.
- Embedding supported decision-making in justice legislation, by progressing the Law Commission’s review of the law related to decision-making, especially for disabled people needing supported and/or substituted decision-making under the PPPR Act.
- Progressing the Law Commissioner’s recommendation of reforming the Criminal Procedure (Mentally Impaired Persons) Act.
- Delivering on the Recommendations of the Royal Commission of Inquiry into Abuse in Care relevant to disabled people.
- Funding strong data collection on disabled people’s experience of the justice system, including as justice sector staff including judges and lawyers, people participating in the system including victims and/or survivors of violence.

## **Conclusion**

AMA calls for a stronger Disability Strategy to translate aspirations into action. Accessibility must be named as the ‘wicked policy problem’ to be solved and embedded in law and practice, backed by SMART actions and accountabilities. With a Strategy that is bold, measurable, and rights-based, Aotearoa New Zealand can be a place where disabled people live with dignity, autonomy, and full participation. We must collectively seize the opportunity to make disability rights a reality.