



23 March 2023

S23.08

## **Submission to the Ministry for Women (MfW) on the United Nations Convention on the Elimination of All Forms of Discrimination Against Women Ninth Periodic Report by the Government of Aotearoa New Zealand**

### **Introduction**

1. The National Council of Women of New Zealand, Te Kaunihera Wāhine o Aotearoa (NCWNZ) is an umbrella group representing around 60 affiliated organisations and 300 individual members. Collectively our reach is over 200,000 with many of our membership organisations representing all genders. NCWNZ has 13 branches across the country.
2. NCWNZ's vision is a gender equal New Zealand and research shows we will be better off socially and economically if we are gender equal. Through research, discussion and action, NCWNZ in partnership with others, seeks to realise its vision of gender equality because it is a basic human right.
3. This submission has been prepared by the NCWNZ International Action Hub with contributions from the other Action Hubs and member organisations.

### **General comments**

4. Having to access the questions in the LOIPR<sup>1</sup> makes reading the report tiresome. The questions need to be in the document.
5. There are many abbreviations / acronyms used – there needs to be a list of these, for preference at the beginning of the document.

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<sup>1</sup> United Nations. Committee on the Elimination of Discrimination against Women. 2022. *List of issues and questions prior to the submission of the ninth periodic report of New Zealand*. CEDAW/C/NZL/QPR/9. [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FNZL%2FQPR%2F9&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FNZL%2FQPR%2F9&Lang=en)

6. Where a Māori name is used, especially for a government agency, the equivalent English name should be provided where there is one, and an indication of the function of the agency if it only has a Māori name.
7. The prime audience for this report is the Committee on the Elimination of Discrimination against Women, who are unlikely to have fluency in Māori. All the Māori terms used need to be explained. The glossary in Appendix 3 might be better at the beginning.
8. The report lacks references that validate the information provided.

## The Report's Introduction

9. CEDAW is used as the acronym for the Committee on the Elimination of Discrimination Against Women and for the Convention on the Elimination of all forms of Discrimination Against Women. The introduction (page 3) incorrectly references the name of the Committee as the Committee on the Elimination of All Forms of Discrimination Against Women.

## Specific responses to the list of issues and questions

### General - Data collection and analysis

#### Reply to question 1

... please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and the promotion of substantive equality between women and men, including with regard to the specific areas covered in the present document.

10. There is a lack of data in the report on women's health issues, including contraceptive use. For example, in 2019, the Ministry of Health published the first national report on contraceptive use since 1999<sup>2</sup>. It should be noted though that this report was based on the data collected through the 2014/2015 annual New Zealand Health Survey<sup>3</sup>, which provides a snapshot of contraceptive use at one point in time but no information about changes over time. The Health Quality & Safety Commission's Atlas on Healthcare Variation<sup>4</sup> reported data on contraceptive provision in 2018/2019. However, this report utilised only prescription data, which does not include all available contraceptive methods.

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

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

... please indicate measures implemented by the State party to redress long-standing inequalities between women and men and to give a new impetus to the implementation of gender equality by placing women at the centre of the recovery as a strategic priority for sustainable change, in line with the Sustainable Development Goals; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in situations of conflict or other humanitarian

<sup>2</sup> Ministry of Health. (2019). *Sexual and reproductive health 2014/15: New Zealand Health Survey*. <https://www.health.govt.nz/nz-health-statistics/national-collections-and-surveys/surveys/new-zealand-health-survey>

<sup>3</sup> Ministry of Health. *New Zealand Health Survey*. <https://www.health.govt.nz/nz-health-statistics/national-collections-and-surveys/surveys/new-zealand-health-survey#2015-16>

<sup>4</sup> Health Quality & Safety Commission. 2021. *Māpi Hauora Kē | Atlas of Healthcare Variation*. <https://www.hqsc.govt.nz/our-data/atlas-of-healthcare-variation/>

emergencies. Please indicate measures in place to ensure that all COVID-19 crisis response and recovery efforts, including the recovery and resilience plan:

- a) Address and are aimed at effectively preventing gender-based violence against women and girls;
- b) Guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery, in particular in the design and implementation of recovery programmes; and
- c) Are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic.

11. Paragraph 6 states that *“In 2020, 54% of women in employment were supported by the wage subsidy, [...]”* but gives no source to this statement. Moreover, this data lacks details about the profiles of the individuals who received the subsidy: the percentage of men who received it, the number of women by socio-economic status, the number of women in rural areas, etc.
12. Paragraph 9 states that the funds enabled the provision of safe houses for women and children who were experiencing family violence, but does not indicate the number of emergency houses, which is needed for more transparency.
13. Paragraph 10 describes the objectives of the Whānau Protect Service but does not give a definition of “high-risk victims” or persons “at risk of re-victimisation”. Moreover, domestic violence was exacerbated during lockdowns due to the proximity between victim and perpetrator<sup>5</sup>. We suggest that the present report includes the solutions that were proposed for these victims during lockdown.

## Visibility of the Convention and its Optional Protocol

### Reply to question 3

... please provide information on the steps taken to ensure that the Convention, the Committee’s jurisprudence under the Optional Protocol, as well as its general recommendations, are well known to women and form part of mandatory training for members of the judiciary, law enforcement personnel, lawyers, social workers, medical personnel and other relevant professionals.

14. While para 15 states that the Ministry for Women (MfW) continues to share information on its website, the information provided does not *“indicate the Convention, the Committee’s jurisprudence under the Optional Protocol and its general recommendations are well known to women”*. Paras 18-26 outline the coverage of training for the judiciary, law enforcement personnel, social worker, Corrections and military personnel, it does not include lawyers, medical personnel nor specify what is covered on the Optional Protocol.
15. Paragraph 20 indicates that Judges have access to an online resource: Kia Mana Te Tangata – Judging in Context: A Handbook. However, these resources, including the Convention, the Committee’s jurisprudence under the Optional Protocol and the recommendations, are not part of the mandatory training of the Judges, as recommended in question 3 and in the previous concluding observations (paragraph 10).
16. Same as above applies to Paragraph 21: While New Zealand Police | Ngā Pirihimana o Aotearoa (NZP) recruits receive training in ‘Valuing Diversity’, their training does not include information on the Convention, the Committee’s jurisprudence under the

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<sup>5</sup> Foon E. 2020. *Domestic violence calls to police increase in lockdown*.

<https://www.rnz.co.nz/news/national/415553/domestic-violence-calls-to-police-increase-in-lockdown>

Optional Protocol and the recommendations. There is no explanation of their role in ensuring the respect of these regulations.

17. Paragraph 26 should include reference to the Independent Review of the NZDF's progress on the Action Plan for Operation Respect<sup>6</sup>, which found significant barriers to progress in reducing inappropriate and harmful behaviour such as bullying, harassment, discrimination and sexual violence.

## Definition of equality and non-discrimination

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

please describe the steps taken to:

- d) Amend section 21 (1) (a) of the Human Rights Act 1993, with a view to including specific prohibitions of discrimination on the grounds of gender identity, gender expression and sex characteristics;
- e) Review existing legislation with a view to include a gender-specific rather than gender-neutral approach in its legislation, policies and programmes, in line with paragraph 5 of the Committee's general recommendation No. 28, that also account for the perspective of Māori women, and inform the Committee whether the gender analysis tool of the Ministry for Women 'Bringing Gender In' is systematically used.

18. Under the issue 4 (a), the government is asked to describe the steps that are taken to amend section 21 (1) (a) of the Human Rights Act 1993 (HRA). However, the government is not considering amending the HRA because the Law Commission has not suggested it. The interpretation of a piece of legislation is not enough to guarantee its implementation and does not prevent a reversal of jurisprudence.

19. Paragraph 34 States that the Bringing Gender In (BGI) tool "*supports agencies to undertake gender analysis across their policy development*". However, it does not inform the Committee of the "systematic use" of the tool, as required in the recommendation. We suggest that this paragraph should be more precise and indicate if its use is mandatory or not.

## Access to justice

### Reply to question 5 (a)

... please indicate the measures taken to: (a) Increase the availability of free legal aid for women, in particular Maori and migrant women and women belonging to ethnic minority groups, including in civil and family courts;

20. Paragraph 38 states that the changes in the Legal Services Amendment Regulations will "*make an extra 93,000 people eligible for legal aid [...]*." However, it does not give the proportion of women included in these 93,000 people, nor give information about the number of women among the "New Zealanders who cannot afford legal advice". Hence, we cannot determine whether or not these changes will particularly help women.

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<sup>6</sup> Teale D, MacDonald C. 2020. Independent Review of the New Zealand Defence Force's progress against its Action Plan for Operation Respect. <https://www.defence.govt.nz/assets/publication/file/Operation-Respect-Review.pdf>

### Reply to question 5 (c)

... please indicate the measures taken to: (c) Strengthening systematic capacity-building on the Convention and on gender responsiveness and gender sensitive investigation and interrogation methods for judges, prosecutors, lawyers, police officers and other law enforcement officials;

21. While paras 50-53 identify the actions taken, there is no information on how the Convention or its Optional Protocol were made relevant.

### National Machinery for the Advancement of Women

#### Reply to question 6 (a)

... please provide information on the measures taken to: (a) Adopt and adequately fund the implementation of a national action plan for the advancement of women and of a national action plan on women, peace and security;

22. There is strong support for the work underway to develop a shared vision and common objectives for achieving gender equality in Aotearoa New Zealand.
23. There has been no consultation with NGOs towards developing a second National Action Plan (paragraph 55), even though the national civil society WPS network provided written proposals for jointly designing it in 2020.
24. The proposed dashboard (para 56) must link to strategies and action plans related to the health and wellbeing of women and girls, such as the Women's Health Strategy and the Maternity Action Plan.

#### Reply to question 6 (b)

... please provide information on the measures taken to: (b) Strengthen the role, efficiency and effectiveness of the Ministry for Women and the Ministry for Disabled People, established on 1 July 2022, by allocating sufficient human, technical and financial resources to enable the ministries to carry out its mandate to promote and protect women's rights and the rights of women with disabilities;

25. Paragraph 67 identifies the budget for MfW. Considering the number of women in Aotearoa New Zealand, proportionately this is considerably less than for other population groups.
26. We are pleased that there is a standalone Ministry of Disabled People | Whaikaha.

#### Reply to question 6 (c)

... please provide information on the measures taken to: (c) Introduce gender-responsive budgeting so as to ensure that a gender perspective is integrated into the legislation and policy development processes across all government agencies.

27. While paras 70-75 identify the process used, it does not indicate the agencies that actually undertake any form of gender budgeting.

### National human rights institution

#### Reply to question 7

... please provide information on the mandate of the Human Rights Commission as it relates to complaints from migrants and update the Committee on the number and outcome of complaints received by women.

28. Paragraph 76 states that "*The Government intends to review the HRA*". The timing when the HRA will be reviewed should be more precise in order to make it relevant as an answer to this question.

## Temporary special measures

### Reply to question 8

... ), please describe the steps taken to consider the use of temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, and adopt and implement temporary special measures including quotas, in all areas in which women are under-represented or disadvantaged, including in political life and in the labour market, as well as in the private sector, with specific, increased efforts made to achieve gender parity in the composition of State-sector boards and to establish a set goal for achieving gender parity on private-sector boards.

29. Paragraph 80 mentions a “*complex mix of factors*” being the cause of the remaining gender disparities. We suggest that this term could be more precise and developed, as it is too abstract to describe issues that have to be addressed.

## Stereotypes and harmful practices

### Reply to question 9 (a)

... please indicate the measures taken to: (a) Combat discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society and to strengthen understanding of the concept of equality between women and men;

30. Paragraph 85 mentions the educational resources to ensure relationship and sexuality education in schools and kura is safe and inclusive. However, there is no mention of the measures taken to promote sexual and relationship education at older ages, which we suggest this report could include. Students over 16 years old and in tertiary education courses (including university) are overly exposed to these questions and unhealthy sexual or emotional behaviours are quite common among these communities, especially in environments where drinking is involved.
31. Paragraphs 83-90 touch on many aspects of the question, but there is no mention of the increasing level of misogyny being faced by women in New Zealand, especially those holding public office.

### Reply to question 9 (c)

... please indicate the measures taken to: (c) Continue to combat harmful practices, in particular female genital mutilation, early and forced marriages, the use of dowry payments, polygamy, crimes in the name of so-called “honour”, and forced sterilization, and systematically collect data disaggregated by age and ethnicity on those harmful practices, including convictions under the Crimes Act 1961;

32. Paragraph 114 uses Manatū Hauora without giving the parallel English name Ministry of Health.

### Reply to question 9 (d)

... please indicate the measures taken to: (d) Adopt clear legislative provisions explicitly prohibiting the performance of unnecessary surgical or other medical treatment on intersex children before they reach the legal age of consent, provide the families of intersex children with adequate counselling and support, including by the New Zealand Child & Youth Intersex Clinical Network, and provide redress to intersex persons who have undergone such unnecessary surgical or medical treatment.

33. Paragraph 115 mentions the formulation of a rights-based protocol by the Ministry of Health | Manatū Hauora to prevent unnecessary medical intervention on intersex children but does not provide information about the progress of this protocol, neither about who is involved in the process, for example doctors, intersex representatives, or organisations.

## Gender-based violence against women

34. Paragraph 119 states “*Most victims and survivors of intimate partner violence and sexual violence are women, and the most perpetrators of violence are men*” but gives no source for this statement.

### Reply to question 10 (a)

... please explain the steps taken to: (a) Criminalize all forms of gender-based violence, including gender-based violence and harassment in the online sphere and stalking, in national legislation, and explain the mandate, activities and resources allocated to the Minister for the Prevention of Family Violence and Sexual Violence and the Executive Board for the Elimination of Family Violence and Sexual Violence, as mentioned in the related Public Service Order 2022, to prevent and address all forms of gender-based violence;

35. Gender as a valid criterion to classify a crime as hate crime: there needs to be mention that the Government is not proceeding with a hate speech law, nor legislation on the wider issues of stalking, or misogyny whether in person or online.

### Reply to question 10 (b)

... please explain the steps taken to: (b) Implement the Te Aorerekura national strategy and action plan and its effectiveness in combatting gender-based violence against women, including Māori women, women of ethnic minority groups, lesbian, bisexual, transgender and intersex women, and women with disabilities;

36. Te Aorerekura<sup>7</sup> receives positive feedback and support. There needs to be more support for its implementation in the health sector, especially in primary health care.

### Reply to question 10 (c)

... please explain the steps taken to: (c) Evaluate the effectiveness of awareness-raising programmes against gender-based violence, including of the ‘It’s not ok’ campaign against domestic violence, the three five-year frameworks for the prevention of family violence and the ‘Safe Man Safe Family’ pilot project (CEDAW/C/NZL/FCO/8, paras. 16 and 18), and provide information on the status of the development of indicators under the national strategy for the prevention of family and sexual violence

37. Paragraph 133 introduces the phrase “kaupapa Māori” which is used eight times in the report. It should be explained in the glossary.

### Reply to question 10 (d)

... please explain the steps taken to: (d) Strengthen the collection and dissemination of disaggregated data through the website <https://www.police.govt.nz/about-us/publications-statistics/data-and-statistics/policedatanz>, including the number of cases of violence against women that have been investigated and the number of those that have led to prosecutions, the sanctions imposed on perpetrators, the number of women who have been victims of violence who have been provided with legal assistance and relevant support services and the number of such women who have received redress, including in the form of monetary compensation under the Family Violence Act 2018 (CEDAW/C/NZL/FCO/8, para. 26); please also describe trends observed during the COVID-19 pandemic;

38. The data collected through policedata.nz (paragraph 137) does not include murders when it is the most serious offence against women that could happen in a context of domestic violence or gender-based violence. We suggest that paragraph 137 include this detail.

39. Paragraph 138 mentions the NZCVS, survey conducted annually to provide “*a fuller picture of victimisation in Aotearoa New Zealand*”. As comprehensive as this survey is, it

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<sup>7</sup> Board for the Elimination of Family Violence and Sexual Violence | Te Kāwanatanga o Aotearoa. 2021. *Te Aorerekura | The Enduring Spirit of Affection: National Strategy to Eliminate Family Violence and Sexual Violence*. <https://tepunaaonui.govt.nz/assets/National-strategy/Finals-translations-alt-formats/Te-Aorerekura-National-Strategy-final.pdf>



does not answer the detail of the question nor paragraph 26 of the previous recommendation report, that suggests the establishment of a specialised survey on gender-based violence, which would also include the parameters such as “the number of violence against women that have been investigated and the number of those that have led to prosecutions, the sanctions imposed on perpetrators, the number of women who have been victims of violence who have been provided with legal assistance and relevant support services and the number of such women who have received redress, including in the form of monetary compensation”.

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

Please describe the measures taken to: (b) Consider renewing its invitation to the Special Rapporteur on violence against women, its causes and consequences and to the Working Group on discrimination against women and girls;

40. The Government should be reissuing the invitation to the Special Rapporteur on violence against women (Paragraph 153).

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

Please describe the measures taken to: (d) Implement of the recommendations contained in reports of the Royal Commission of Inquiry about Abuse in Care;

41. There is no need for the apostrophe on “Institutions” in para 161.

### **Participation in political and public life**

#### **Reply to question 13**

... please indicate any temporary special measures adopted and implemented, including time-bound goals, quotas or preferential treatment, to accelerate the equal representation of women, including Maori women, women of other ethnic minority groups, rural women and women with disabilities, in decision-making positions in all areas and at all levels, both in the public and private sectors. Please also explain the measures taken to prevent women politicians from being harassed, particularly in the online sphere.

42. Again, no mention of online misogyny, especially against women in public life. These have major implications on women’s participation in public and political life. Significant policy work is needed on online mis- and disinformation eg regulation of social media providers, education for young people on how to recognise these.
43. Paragraph 197 will need updating with the recent change in political leadership.
44. Paragraphs 207-210 are focused on online harassment whereas this harassment can also be offline. We suggest changing the title to “Harassment” or “Online and Offline Harassment” in order to make this part more comprehensive.

### **Education**

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

... please indicate the legislative and policy action taken and the adequate resources allocated to:

- (a) Facilitate access to secondary and tertiary education for girls and women living in rural areas, including through increased resources;
- f) Address all impediments to the education of girls living in rural areas, including financial and transportation-related obstacles;

45. Paragraph 217 mentions the fact that *“The Government has also halved all public transport fares, including school and tertiary concession fares, until 31 January 2023 to respond to inflation in the general cost of living.”* This date has been extended to 30 June



2023. However, inflation will continue after this date and the Government should elaborate on what it plans to do to diminish the transportation costs.

46. The report does not provide a response to “*address all impediments to the education of girls living in rural areas*”.

47. There needs to be mention of the very positively received Ministry of Education’s Ikura | Manaakitia te whare tangata | Period products in schools campaign to reduce period poverty experienced by students.

**Reply to question 14 (b)**

... please indicate the legislative and policy action taken and the adequate resources allocated to: (b) Ensure that the decision-making power of schools and their mandatory community consultations on health education does not prevent the inclusion in school curricula of mandatory, culturally sensitive and age-appropriate education on sexual and reproductive health and rights and responsible sexual behaviour, focusing on the prevention and consequences of early pregnancy and sexually transmitted infections, as well as on gender-based violence, including sexual and intimate partner violence;

48. Paragraph 219 “However” should either have a lower-case h or start a new sentence.

49. Paragraph 220 reminds us of the compulsory character of Relationships and sexuality education (RSE) but does not explain how the government holds schools and kura accountable for the teaching of this curriculum.

50. The answer does not specify how RSE is provided to students above Year 10, considering that most of the teenagers get to be sexually active after this age.

51. Paragraph 220 mentions a mandatory consultation of the school community on what is going to be taught in the RSE, without mentioning to what extent the curriculum can change in response to this consultation. We suggest that clear limits in the modification of the curriculum after consultation are established by the Ministry of Education or that these limits are notified in the present document.

**Reply to question 14 (c)**

... please indicate the legislative and policy action taken and the adequate resources allocated to: (c) Provide girls with a safe educational environment free from discrimination and sexual harassment and violence and include education on non-violence in the curricula;

52. The government does not specify the resources that are allocated to the schools and kura to educate about and prevent sexual harassment and discrimination within the student population, as these incidences do not only occur with staff members but between students.

**Reply to question 14 (d)**

... please indicate the legislative and policy action taken and the adequate resources allocated to: (d) Strengthen the efforts aimed at ensuring that no pressure is placed on pregnant teenage girls to leave school or change courses and establish a reintegration policy for teenage mothers, while safeguarding against the risk of having teen pregnancy and motherhood perceived as a norm;

53. Information should be supplied on the number of Teen Pregnancy Units (TPUs) in New Zealand as not every school has one.

## Employment

### Reply to question 15 (a)

... please outline the measures taken to: (a) Assess the impact of the population-focused Employment Action Plans on the working conditions of Maori and Pasifika women, women from minority groups, women with disabilities, young women, older women, and migrant, refugee and asylum-seeking women, in all areas of employment including through data collection and analysis;

54. Paragraph 268 advises that implementation plans have been developed for both the Te Mahere Whai Mahi Wāhine: Women's Employment Action Plan (WEAP) and the Māori Employment Action Plan (MEAP) and WEAP. NCWNZ with other key NGOs were involved as partners in developing the Action Plan, and this should be acknowledged.

Information should be provided on the progress made in implementing these plans.

### Reply to question 15 (b)

... please outline the measures taken to: (b) Adopt and enforce the principle of equal pay for work of equal value in a revised employment relations legislation covering both public and private workplaces, including through analytical job classification and evaluation methods and regular pay surveys, and regularly review wages in sectors in which women are concentrated;

55. We can read about the initiatives and action plans taken to reduce the gender pay gap, as well as the procedures to follow to raise a claim on unequal pay. However, there is little to no explanation on the tools available to monitor the implementation of the mentioned action plans, nor to evaluate the extent of this pay gap (disaggregated data, surveys, analytical job classification, ...)

## Health

### Reply to question 17 (a)

... please describe the steps taken to: (a) Legalize abortion, in the Contraception, Sterilisation, and Abortion Act 1977, as amended by the Abortion Legislation Act 2020 (No. 6), also in cases of pregnancy beyond 20 weeks at least in cases of rape, incest, threats to the life or health of the pregnant woman or severe foetal impairment, update on the status of the Contraception, Sterilisation, and Abortion (Safe Areas) Amendment Bill and ensure access for women to safe abortion and post-abortion care and services;

56. The report does not provide solutions to address the needs of women in rural areas and improve their access to sexual health services, including but not limited to: abortion, pregnancy follow-up, childbirth services. Nor are there solutions to the overall issue of the large discrepancies in the provision and delivery of contraception, abortion, and maternal and perinatal services.

### Reply to question 17 (b)

... please describe the steps taken to: (b) Take the steps necessary to ensure that there is a sufficient number of nurses and midwives to provide appropriate health-care services, including mental health services, to women, particularly during pregnancy, birth and the postnatal period, including to rural women, women with disabilities, Maori women and women of other ethnic minorities;

57. The information provided gives no indication of the size of the deficit in health workforce numbers.
58. The national Nurse Practitioner Training Programme mentioned in Paragraph 324 has a *"strong focus on equity for services in communities with high numbers of Māori, Pacific and other marginalised groups, as well as rural communities and communities with high mental health and addiction needs"*, but does not specify how the Government intends to address the lack of healthcare workforce in certain areas where these marginalised

communities are located, especially in rural areas. Nor is the issue of maternal mental health services mentioned.

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

... please describe the steps taken to: (d) Support women who assist members of their family with disabilities, particularly during temporary suspension of care services for such family members due to the COVID-19 pandemic.

59. The subpoints in para 339 start at (d).

60. The answer does not address the issue raised in the question, namely the assistance provided to women who had to be carers for members of their family during the COVID-19 lockdowns. Partners, and especially female partners – as paragraph 336 reminds us that carers are in 70% of the cases, women – had to take care of their disabled partners as no one else could visit them during lockdown. This particular situation should be an exception enabling partners to be eligible for the Supporting Living Payment. We suggest that the Government takes this context into consideration and answers the question in the context of the COVID-19 pandemic.

### **Economic and social benefits and economic empowerment of women**

#### **Reply to question 18**

... please outline the measures taken to implement the recommendations by the Welfare Expert Advisory Group. Please also explain whether the Social Security Act 2018 (No. 32) is fully aligned with the State party's obligations under the Convention and which other measures are being undertaken to ensure that the social security system responds to the needs of disadvantaged groups of women, such as rural women, Maori women, Pasifika women, migrant and refugee women, and women with disabilities.

61. The answer is incomplete as it does not address the specific needs of disadvantaged groups of women. We suggest that the government goes into more detail about the means provided to counterbalance the high level of poverty experienced by women in rural areas and women from ethnic minorities. Access to counselling is often difficult and thus, they have to reach a variety of government agencies and MSD staff.

### **Climate change and disaster risk reduction**

#### **Reply to question 19**

Please describe the steps taken to integrate a gender perspective into national policies on climate change in line with the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change. Please specify any measures taken to ensure the effective participation of women in decision-making processes on climate change adaptation, disaster risk reduction and land and environmental resource management.

62. Cyclone Gabrielle and the wide-ranging impacts on human lives, wellbeing and the economy must have concerned even the strongest deniers of climate change, and convinced them of the urgent need to address this in a co-ordinated way, here and across the Pacific and the globe. The report should be updated to include the impacts of this extreme weather event.

63. The impact of climate change was previously considered to be 28% greater on women than men. This small section on climate change fails to fully recognise this. Nor does it recognise the crucial roles women play, not only within their family and communities but as leaders across professions and sectors. Women in leadership roles widen understanding of climate change, its causes and impacts, and are key to increasing the necessary adaptation, resilience, risk reduction and recovery at all levels. Women are involved in ensuring their families and communities have

food, fuel, and an educated understanding of how human behaviour impacts on climate change, alongside other factors.

64. The role and influence of women are not confined to those critical areas of family and community. Women also play key leadership roles across the motu/country, as leaders in the private and public sectors, in urban and rural contexts, including local bodies, policy development, governance and decision making, in local and regional contexts, within hapū and iwi, nationally and internationally. They should be involved in research, policy design, implementation, risk reduction and recovery and evaluation at all levels connecting actions, policy, and outcomes.
65. Every effort should be made to ensure that girls and women are encouraged into relevant roles in agriculture, fisheries, climate science, environmental management, architecture, and engineering to ensure full participation in climate change policy and solutions, utilising strategic decision making and collective action at all levels of government and society, including local bodies, and regional and national governance, policy and action.
66. Greater understanding, policy development, connected implementation, and measurement, all linked to the United Nations Sustainable Development Goals (SDGs), and in line with the Auditor General's report (2021)<sup>8</sup>, would create an important basis for joined up thinking, better comparison with other nations and consistent data collection. This would contribute to a better Voluntary National Review (VNR)<sup>9</sup>, with data and an improved assessment of the risks posed by climate change than in 2019.
67. Some of the work and results showcased at the recent Waikato SDG Summit demonstrate what positive initiatives are happening in many parts of the country in line with the SDGs and their impacts, but these are seldom mentioned by government agencies, nor referred to in its reports and the Living Standards Framework is not sufficient. In the past, New Zealand has valued its environmental achievements in comparison with other countries, and some governments have spoken of their desire to tackle climate change but if we are to prepare for the future the SDGs provide a joined-up connected strategy, as expressed in mātauranga Māori: "Papatūānuku provides unity and identity to her people and sustains them" (Waikato Regional Council). The SDGs require us to work together to create a more sustainable world, protecting our planet, so that no one is left behind. The need is urgent, and women are central to devising, planning and implementing the solutions now for present and future generations.
68. Women are agents of change and environmental stewards who do transformational work. Crises further equip and empower women to take strong leadership roles, augmenting growth and resilience; women are also more at risk.
69. The impact of increased domestic violence has been confirmed in recent disasters. In February 2023 police confirmed a 60% increase in incidents of family harm since Cyclone Gabrielle. Police

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<sup>8</sup> Controller and Auditor-General. 2021. *Auditor-General's Overview*.  
<https://oag.parliament.nz/2021/sdgs/overview.htm>

<sup>9</sup> United Nations. High-Level Political Forum on Sustainable Development. *Voluntary national reviews*.  
<https://hlpf.un.org/vnrs>

commissioner Andrew Coster has acknowledged that, “crime reporting is harder than usual, but in terms of our numbers, it’s the family harm that is up at the moment<sup>10</sup>.”

70. Climate change increases the already untenable and unequal position of women and those who are gender diverse, children, wāhine Māori, disabled women, and those from ethnic, and migrant backgrounds. This is evident in both urban and rural settings. It also occurs regardless of the impacts of intersectionality. Giving agency to women and all those in these groups will enable them to in grow their resilience and effectiveness in settings is essential.
71. It is essential to recognise the powerful impact of Māori and Pacifica women in adaptation and building resilience with the escalating climate crisis. Wāhine Māori are vital in the response to climate change with their governance and stewardship, knowledge and lived experiences of te ao Māori for all Aotearoa New Zealand, together with Pacifica women, who are 25% more likely to be impacted. Their indigenous knowledge is vital as they draw on their lived environmental and climate change experiences; their inclusiveness in promoting the wellbeing and safeguarding all communities is fundamental.
72. A Climate Action Plan needs to be mandatory for all government agencies, national, regional, and local, and included in non-government agencies’ contracts.

### **Wāhine Māori and women belonging to ethnic minority groups**

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

... please indicate the steps taken to: (b) Adopt legislation, including temporary special measures and awareness-raising measures, to combat intersecting forms of discrimination against Maori women, Pasifica women and women belonging to other ethnic minority groups, particularly in gaining access to health-care services, protecting their right to land ownership and ensuring reasonable accommodation in education, employment and access to health care for women with disabilities;

73. The answer does not address the issue of land ownership raised by the Committee’s Recommendation 21(b). We suggest that the Government describes which measures have been taken, will be taken, or the Government’s position on this point.
74. Paragraph 401 does not mention the 2023 curriculum revision to include Te Takanga o Te Wā and Aotearoa New Zealand’s histories as part of all kura and schools’ marau ā-kura and local curriculum. We suggest this should be mentioned explicitly.

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

... please indicate the steps taken to: (c) Implement the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and provide alternatives to detention to reduce the high number of Maori women detainees.

75. The answer does not mention the implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders. We suggest the Government should give a statement on that issue.
76. The answer does not mention the measures and treatment of juvenile female prisoners.

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<sup>10</sup> Rawhiti-Connell A. 2023. *Why women are especially vulnerable after a disaster*. The Bulletin, Feb 21 2023. <https://thespinoff.co.nz/the-bulletin/21-02-2023/why-women-are-especially-vulnerable-after-a-disaster>

## Marriage and family relations

### Reply to question 23

Please provide updated information on the implementation of recommendations contained in the final report of the Independent Panel examining the 2014 family justice reforms, including the adoption of a second bill focused on strengthening the Family Court (CEDAW/C/NZL/FCO/8, paras. 39, 43), and explain how the recommendations have included a gender perspective and benefitted women and girls who are victims of gender-based violence, including sexual violence and domestic violence. Please also explain any measures taken to increase the capacity of judges and other professionals in the judiciary and security forces on women's rights, gender equality and gender responsive adjudication

77. The bullet points in paragraph 432 begin with d).

78. The Independent Panel examining the 2014 family justice reforms recommendations included that the Government would:

- fully fund and diversify Family Dispute Resolution;
- recognise te ao Māori;
- introduce targeted counselling and extend counselling available to the Court;
- introduce a technology platform to support case management and evaluative data collection.

The report should identify the actions the Government has taken or the steps to be taken to implement the recommendation.

### Additional information

### Reply to question 25

Please provide any additional information deemed relevant with regard to legislative, policy, administrative and any other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous periodic report in 2018. Such measures may include recent laws, developments, plans and programmes, recent ratifications of human rights instruments or any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised herein, the State party will be expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.

79. Paragraphs 432-437 discuss the achievement of the SDGs yet no mention is made that there is no lead agency or timeline for the work nor any identified budget.

80. Why repeat the heading Additional Information above paragraph 438?

### Appendix One: Voices of Aotearoa New Zealand Women

81. One theme that needs inclusion is women prisoners.

### Appendix Three: Glossary of Māori Terms

82. This would this be better at the beginning of the document.

83. All the Māori terms and phrases used in the report need to be explained, eg kaupapa Māori (not just kaupapa and Māori separately).

84. The glossary includes a non-Māori term.

### Appendix Four: Data Tables

85. Would this be better at the beginning?

86. Is Table 3 a data table?

## Conclusions

87. NCWNZ hopes these comments and feedback will be helpful to the Ministry for improving the final report.

A handwritten signature in dark ink, appearing to read 'Suzanne Manning'.

Suzanne Manning  
NCWNZ Board

A handwritten signature in dark ink, appearing to read 'Beryl Anderson'.

Beryl Anderson  
NCWNZ Parliamentary Watch Committee