

Appendix Two – Progressing the Government response to the UNCRPD Concluding Observations

Table One: Concluding Observations with actions for implementation

The Committee recommends that the State party:	Action:
Accident Compensation Corporation	
<p>CO 36 (e): Adopt legal provisions to provide legal remedies and holistic redress to victims of medical interventions performed without personal consent, including access to support and recovery services and adequate compensation.</p> <p>Protecting the integrity of the person (art. 17)</p>	<p>ACC works to provide access to support and recovery services and adequate compensation as part of its business-as-usual activities.</p>
Ministry for Culture and Heritage	
<p>CO 44 (c): Adopt legislation to ensure captioning and audio description is provided on television channels with funding security.</p> <p>Freedom of expression and opinion, and access to information (art. 21)</p>	<p>The Ministry for Culture and Heritage is developing a Media Reform package [REDACTED]</p> <p>s9(2)(f)(iv) [REDACTED]</p>
Ministry of Disabled People	
<p>CO 14 (b): Strengthen measures for close consultation and active participation of organizations of persons with disabilities, including underrepresented groups of persons with disabilities in the design, development and delivery of awareness-raising programmes about the rights and dignity of persons with disabilities.</p> <p>Awareness-raising (art. 8)</p>	<p>The Disabled People’s Organisations (DPO) Coalition has been funded through a conditional grant from 1 July 2024 – 30 June 2027 to meet its objectives as a member of the Independent Monitoring Mechanism (IMM).</p> <p>Total funding for the DPO Coalition has increased to \$1,275,000 over three years, an increase of \$120,000 over previous funding, split between the seven member organisations. The Ministry of Disabled People will continue to work to strengthen the role of DPOs.</p>
<p>CO 16 (b): Adopt and implement an accessibility strategy underpinned by the principle of universal design to eliminate existing access barriers, in close consultation with and with the active involvement of organizations of persons with disabilities, including underrepresented groups, such as persons of small stature.</p> <p>Accessibility (art. 9)</p>	<p>The Ministry of Disabled People (MDP) is developing a work programme to enable government to make concrete, tangible improvements in accessibility within the current regulatory framework.</p> <p>The Ministry is working with other agencies to consider what actions can be taken to reduce accessibility barriers over the short term.</p>

<p>CO 32 (a): Develop measures to address the high rates of violence experienced by persons with disabilities and to combat all forms of gender-based violence for inclusion within outcome area 4 of the New Zealand Disability Strategy.</p> <p>Freedom from exploitation, violence and abuse (art. 16)</p>	<p>Budget 2023 allocated \$6.11 million to specifically target family violence against disabled people.</p> <p>Funding supports VisAble, People for Us and Supporting Change initiatives.</p> <p>VisAble works to equip and enable individuals and organisations, working with, or who come into contact with, disabled people, who are impacted by violence, to make their services more inclusive and accessible. It provides a range of tailored services and programmes to assist organisations to implement a rights-based twin-track response in the prevention, identification and response to violence, abuse and neglect against disabled people.</p> <p>MDP will continue supporting the Disability Abuse Prevention and Response prototype as part of work to implement safeguarding responses for disabled adults at risk, Action 28 of the first Te Aorerekura action plan.</p> <p>The development of the Second Action Plan 2024-2029, to implement Te Aorerekura, the National Strategy for the elimination of family violence and sexual violence is underway.</p> <p>This work is being led by Te Puna Aonui Business Unit. The second action plan will continue focusing on supporting victims, integrating cross-government agency responses, and preventing family violence and sexual violence. MDP supported Te Puna Aonui by promoting the inclusion of a disability perspective across all actions proposed.</p>
<p>CO 32 (b): Incorporate gender-specific measures for the disability focus within the National Strategy to Eliminate Family Violence and Sexual Violence and ensure specific issues for women and girls with disabilities are mainstreamed throughout the Strategy.</p> <p>Freedom from exploitation, violence and abuse (art. 16)</p>	<p>Same as 32(a)</p>
<p>CO 44 (a): Strengthen implementation of the Accessibility Charter by expanding its coverage to local authorities and district health boards, and increasing funding and capacity for the provision of accessible information and communication formats and technologies.</p> <p>Freedom of expression and opinion, and access to information (art. 21)</p>	<p>MDP will consider how it can strengthen implementation of the Accessibility Charter.</p>
<p>CO 44 (b): Implement incentives and increase funding for the training and employment of sign language interpreters, including trilingual interpreters who can interpret between New Zealand Sign Language, English and Te Reo Māori, and adopt a national standardized accreditation framework for sign language.</p> <p>Freedom of expression and opinion, and access to information (art. 21)</p>	<p>The NZSL Board is considering options for enhancing the quality and quantity of the interpreter workforce, including trilingual interpreters, as part of the New Zealand Sign Language (NZSL) Strategy refresh.</p>

<p>CO 52 (a): Expedite the development of the Disability Employment Action Plan in close consultation with and with the active involvement of persons with disabilities, including women with disabilities, Māori with disabilities and Pasifika persons with disabilities.</p> <p>Work and employment (art. 27)</p>	<p>As part of the Papa Pounamu Diversity and Inclusion programme, the Ministry of Disabled People holds responsibility for leading the Disability Four-point plan.</p> <p>This four-point plan focuses on four key areas for disabled communities in the Public Service: visibility and information, accessibility, employment and closing inequities such as pay gaps.</p> <p>MSD is considering ways to improve the employment and labour market outcomes of disabled people as part of medium-term planning.</p> <p>Ongoing work on Disability Support Services may provide insights on possible future directions.</p>
<p>CO 60 (a): Strengthen its accountability processes and its partnership with the Independent Monitoring Mechanism to track and publicly report on the outcomes and implementation of the recommendations contained in the reports of the Mechanism.</p> <p>National implementation and monitoring (art. 33)</p>	<p>MDP will seek to strengthen its partnership with the IMM, including improved monitoring of outcomes and recommendations as a result of IMM reporting.</p>
<p>CO 60 (b): Allocate adequate resources, including financial support to the Disabled People's Organisations Coalition, to enable it to effectively fulfil its mandate as a partner of the Independent Monitoring Mechanism.</p> <p>National implementation and monitoring (art. 33)</p>	<p>The DPO Coalition has been funded through a conditional grant from 1 July 2024 – 30 June 2027 to meet its objectives as a member of the Independent Monitoring Mechanism (IMM).</p> <p>Total funding for the DPO Coalition has increased to \$1,275,000 over three years, an increase of \$120,000 over previous funding, split between the seven member organisations. MDP will continue to work to strengthen the role of DPOs.</p>
<p>Ministry of Education</p>	
<p>CO 48 (a): Develop an inclusive education strategy that includes measures for the devolution of segregated education settings into a mainstream inclusive education system, to transition funding and resources from specialist education to inclusive education, to prioritize inclusive education in teacher training, to establish uniform, inclusive education policies and guidelines, to develop an inclusive education curriculum and to promote and raise community awareness.</p> <p>Education (art. 24)</p>	<p>The Ministry of Education is strengthening the measures for disabled people to access education by targeting effective learning support interventions for students with additional needs.</p> <p>The Government's priorities for the education system include stronger learning support: targeting effective learning support interventions for students with additional needs.</p> <p>The Ministry of Education is strengthening measures to ensure the protection of the right to inclusive education for Māori.</p> <p>This includes a focus on meeting the needs of Māori within the learning support work programme and continuing the work currently underway to strengthen the New Zealand Curriculum and redesign Te Marautanga o Aotearoa, so that the national curriculum is delivering for all students.</p> <p>The Ministry of Disabled People is continuing to work with disabled communities to identify strategic outcomes and action areas related to inclusive education to be included in the next New Zealand Disability Strategy.</p>

Ministry of Health	
<p>CO 18: Monitoring & review mechanisms for End of Life Choice Act 2019 provide safeguarding information for disabled people.</p> <p>Right to life (art. 10)</p>	<p>The Ministry of Health is prioritising, monitoring and addressing disability end of life protections through the Assisted Dying work programme.</p> <p>This area is now fully operationalised as business as usual. Health New Zealand provides an Assisted Dying Service. The Ministry is responsible for regulating the service, supporting the Assisted Dying Secretariat and implementing the Assisted Dying work programme.</p> <p>Disability end of life rights protections will continue to be prioritised, monitored, and addressed through the Assisted Dying work programme and Health of Disabled People work programme 2024-27, focuses which include disability safeguarding, health data collection and monitoring of disabled peoples' health care experience and outcomes.</p>
<p>CO 20: The Committee recommends that the State party closely consult with and actively involve organizations of persons with disabilities in designing and implementing COVID-19 response and recovery measures, informed by the recommendations contained in the report on making disability rights real in a pandemic, prepared by the Independent Monitoring Mechanism in 2021.</p> <p>Situations of Risk and humanitarian emergencies (art. 11)</p>	<p>The Ministry of Health is undertaking national pandemic planning and preparedness for future pandemic responses.</p> <p>The Ministry of Health considers the emergency response to COVID-19 in New Zealand is over. The Ministry of Health's pandemic and emergency management focus is now on future national planning and preparedness through actions such as the New Zealand Pandemic Plan and supporting improvement of New Zealand's national emergency management system.</p> <p>The Ministry will progress through its business-as-usual pandemic preparedness work the recommendations in the IMM Making disability rights real in a pandemic report (2021) and the key disability-related recommendations from the Royal Commission of Inquiry into COVID-19 Lessons Learned.</p>
<p>CO 26: Ensure that new mental health legislation embeds the Convention principles and standards to ensure that there are no provisions that allow for the deprivation of liberty on the basis of impairment or that allow for compulsory treatment, and that the development process actively involves persons with disabilities, particularly persons with psychosocial disabilities.</p> <p>Liberty and security of person (art. 14)</p>	<p>The Mental Health Bill had its first reading on 23 October 2024 and has been referred to the Health Select Committee for consideration.</p> <p>The Committee will report back to Parliament within six months, following the consideration of public submissions, and the Bill will likely progress through the remaining Parliamentary stages in 2025. The Bill currently has a commencement date of 1 July 2027.</p>
<p>CO 36 (b): Adopt clear legislative provisions that explicitly prohibit the performance of unnecessary, invasive and irreversible medical interventions, including surgical, hormonal or other medical procedures on intersex children before an age at which they can provide informed consent.</p> <p>Protecting the integrity of the person (art. 17)</p>	<p>The Ministry of Health proposes to progress action through its Health of Disabled People work programme 2023-2027.</p> <p>The Ministry of Health's focus is on implementing the rights-based approach to health care for intersex children and young people to prevent unnecessary medical interventions and surgeries. This approach aligns with the Human Rights Action Plan. Health New Zealand is leading in this area, working with providers to design, develop and deliver guidelines, training, peer and psychosocial support and information resources for intersex children and young people by June 2027.</p>

<p>CO 36 (c): Recalling previous recommendations made by the Committee on the Rights of the Child, develop and implement a child rights-based health-care protocol for intersex children, setting the procedures and steps to be followed by health teams, ensuring that no one is subjected to unnecessary medical or surgical treatment during infancy or childhood, guaranteeing the rights of children to bodily integrity, autonomy and self-determination, and provide families with intersex children with adequate counselling and support;</p> <p>Protecting the integrity of the person (art. 17)</p>	<p>The Ministry of Health proposes to progress action through its Health of Disabled People work programme 2023-2027.</p> <p>The Ministry of Health’s focus is on implementing the rights-based approach to health care for intersex children and young people to prevent unnecessary medical interventions and surgeries. This approach aligns with the Human Rights Action Plan. Health New Zealand is leading in this area, working with providers to design, develop and deliver guidelines, training, peer and psychosocial support and information resources for intersex children and young people by June 2027.</p>
<p>CO 50: progress development of the Health of Disabled People Strategy and strengthen and expedite measures within the New Zealand Disability Strategy, the Health Services and Outcomes Kaupapa Inquiry and the Pathways to Pacific Health and Well-being Strategy, to increase access to health services and improve health outcomes for persons with disabilities.</p> <p>Health (art. 25)</p>	<p>The Ministry of Health is leading a new 3-year health of disabled people work programme.</p> <p>This work programme focuses on progressing foundational actions for strengthening the health system response to the health needs of disabled New Zealanders as outlined in the Health of Disabled People Strategy 2023. Actions focus on health improvement for populations with high health needs including Māori disabled people, Pacific disabled people and intellectually disabled people; and improving data, monitoring and safeguarding measures for disabled people in the health system.</p>
<p>Ministry of Justice</p>	
<p>CO 22: repeal any laws and policies and end practices or customs that have the purpose or effect of denying or diminishing the recognition of any person with disabilities as a person before the law, and implement a nationally consistent supported decision-making framework that respects the autonomy, will and preferences of persons with disabilities.</p> <p>Equal recognition before the law (art. 12)</p>	<p>The Ministry of Justice will provide advice to the Minister of Justice following the release of the Law Commission’s report on adult decision-making capacity law in 2025.</p> <p>The focus of the review is the Protection of Personal and Property Rights Act (PPPR Act). While the LC has noted it is not practicable to review all laws that address decision-making practice and the PPPR Act in a single review, the work done in this review will materially advance future consideration of other more specific laws.</p> <p>The LC intends to provide their final report to the Minister of Justice in early 2025.</p> <p>The Government usually issues a formal response to LC reports within 120 working days of it being presented to Parliament.</p> <p>MDP is working with an advisory group to create a website with resources on supported decision-making.</p> <p>The website will include practical resources to support disabled people and others requiring support to make their own decisions in key areas of their lives including health and wellbeing, housing, education and employment.</p>
<p>CO 24 (b): Establish and adequately resource free independent advocacy and increase resources for community legal advice services.</p> <p>Access to Justice (art. 13)</p>	<p>The Ministry of Justice is working with Community Law Centres o Aotearoa to support initiatives that help disabled people on low incomes to secure legal services and access justice.</p>

Ministry of Social Development	
<p>CO 40 (c): Develop measures to remove barriers for persons with disabilities to choose where and with whom they live, including by committing to increase the supply of affordable and accessible housing and by reforming programmes, such as the Disability Community Residential Support Services Strategy to prevent congregate living arrangements linked with shared support.</p> <p>Living independently and being included in the community (art. 19)</p>	<p>This will be considered by the MSD DSS Taskforce in their work to implement the recommendations from the Independent Review and improve the sustainability of DSS and provide certainty for the future for disabled people, and whānau, family and carers to ensure their needs are able to be met.</p>
<p>CO 52 (b): Incorporate concrete measures in the Disability Employment Action Plan, with resources, time frames and monitoring mechanisms that ensure the transition from segregated employment to the open labour market.</p> <p>Work and employment (art. 27)</p>	<p>MSD will lead implementation of measures to support disabled people into employment</p> <p>There will not be a Disability Employment Action Plan, but disabled people, along with other cohorts, are included in MBIE's broader Employment Action Plan published in August 2024. Within the EAP there is work to consider ways to help people get into work quickly and reduce persistence disadvantage. MSD is the lead agency to deliver on the implementation of this action.</p>
<p>CO 54 (c): Ensure people with foetal alcohol syndrome disorder, chronic fatigue syndrome and other chronic and rare conditions have access to the disability support system and are included in disability policies and programmes.</p> <p>Adequate standard of living and social protection (art. 28)</p>	<p>This will be considered by the MSD DSS Taskforce in their work to implement the recommendations from the Independent Review and improve the sustainability of DSS and provide certainty for the future for disabled people, and whānau, family and carers to ensure their needs are able to be met.</p>
Ministry of Social Development and Ministry of Education	
<p>CO 40 (b): Develop a comprehensive deinstitutionalization strategy, with specific time frames and adequate budgets, to close all residential institutions, including group homes and residential specialist schools, to provide community supports for persons with disabilities to live independently in the community.</p> <p>Living independently and being included in the community (art. 19)</p>	<p>This will be considered by the MSD DSS Taskforce in their work to implement the recommendations from the Independent Review and improve the sustainability of DSS and provide certainty for the future for disabled people, and whānau, family and carers to ensure their needs are able to be met.</p>
Ministry for Women	
<p>CO 10 (a): Strengthen measures and policy mechanisms, including within the gender impact statement and the disability perspective statement, to ensure that the issues for women and girls with disabilities, including for Māori, Pasifika persons and migrant women and girls with disabilities, are comprehensively addressed within gender and disability legislative and policy areas.</p> <p>Women with disabilities (art. 6)</p>	<p>The Ministry for Women will work with the Ministry of Disabled People to ensure Gender Impact Statements are more reflective of the specific needs of disabled women and girls.</p>

<p>CO 10 (b): Develop strategies and measures, including financial resourcing, to support women and girls with disabilities to develop their own representative organization.</p> <p>Women with disabilities (art. 6)</p>	<p>The Ministry for Women will work with the Ministry of Disabled People to ensure organisations of disabled women and girls are linked into policy making and consultation processes.</p>
<p>Oranga Tamariki</p>	
<p>CO 12 (a): Establish measures and standing mechanisms to ensure that children with disabilities, including Māori children with disabilities, are able to express their views on an equal basis with other children.</p> <p>Children with disabilities (art. 7)</p>	<p>Oranga Tamariki has developed practice guidance for staff. Future actions will be considered through the development of the refreshed NZDS and implementation planning for the Oranga Tamariki Disability Strategy.</p>
<p>CO 12 (b): Strengthen the collection of comprehensive disaggregated data on children with disabilities, including on Māori children with disabilities, to inform effective early intervention, particularly in the fields of education, care and protection, and youth justice.</p> <p>Children with disabilities (art. 7)</p>	<p>Oranga Tamariki has developed an internal disability strategy and vision which includes a focus on data, research, and evaluation. Future actions will be considered through the development of the refreshed NZDS and implementation planning for the Oranga Tamariki Disability Strategy.</p>
<p>CO 46 (d): Take immediate action within Oranga Tamariki (Ministry for Children) to implement the recommendations from the 2020 Ombudsman report, entitled "A matter of urgency", and increase disability, gender and culturally appropriate expertise, policies and guidelines that adhere to the Convention in order to ensure that newborn babies and children are not removed from parents with disabilities, particularly parents with intellectual disabilities and Māori parents with disabilities, on the basis of impairment.</p> <p>Respect for home and the family (art. 23)</p>	<p>Oranga Tamariki (OT) has accepted all the recommendations of the Chief Ombudsman's report and is progressing actions towards its implementation.</p>
<p>Te Puni Kōkiri</p>	
<p>CO 44 (d): Develop specific initiatives to increase the provision of culturally appropriate, accessible information and communications for Māori persons with disabilities.</p> <p>Freedom of expression and opinion, and access to information (art. 21)</p>	<p>Te Puni Kōkiri and Ministry of Disabled People will work together on a case-by-case basis to ensure information relevant to Māori disabled people is available in accessible formats.</p>

Table Two: Concluding Observations to consider in the development of the refreshed New Zealand Disability Strategy

The Committee recommends that the State party:	Action:
Ministry of Disabled People	
<p>CO 6 (a): Develop strategies to strengthen commitment across all government portfolio areas to ensure disability is recognized as a cross-cutting issue, that meaningful partnerships are developed with organizations of persons with disabilities to ensure close consultation and active involvement in legislative and policy processes to implement the Convention, including co-design, co-production and co-evaluation, and that organizations of persons with disabilities are appropriately resourced to build capacity to participate in partnerships across government portfolio areas.</p> <p>General principles and obligations (arts. 1–4)</p>	<p>Future actions will be considered through the development of the refreshed NZDS.</p> <p>The Ministry of Disabled People has the lead responsibility for providing coherent system-level leadership and stewardship that aligns priorities and focus across government. The Ministry also has a lead role in supporting other government organisations to connect with the diverse needs of disabled people.</p> <p>The Disabled People’s Organisations (DPO) Coalition has been funded through a conditional grant from 1 July 2024 – 30 June 2027 to meet its objectives as a member of the Independent Monitoring Mechanism (IMM).</p> <p>Total funding for the DPO Coalition has increased to \$1,275,000 over three years, an increase of \$120,000 over previous funding, split between the seven member organisations.</p>
<p>CO 14 (a): Adopt and fund a comprehensive national strategy to raise awareness throughout society, particularly among persons with disabilities, their parents and families, professional groups, the media and government officials at all levels, regarding the rights and dignity of persons with disabilities, in order to combat stereotypes, prejudice and harmful practices in all aspects of life and to create sustained and systemic attitudinal change.</p> <p>Awareness-raising (art. 8)</p>	<p>Future actions will be considered through the development of the refreshed NZDS.</p>
<p>CO 56: The Committee recommends that the State party develop strategies and measures, including financial resources to support persons with disabilities to form sustainable representative organizations, including to support the development of organizations of Māori persons with disabilities, Pasifika persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons with disabilities, children with disabilities, and women and girls with disabilities.</p> <p>Participation in political and public life (art. 29)</p>	<p>The Ministry of Disabled People and Ministry for Women will work together to consider future actions through the development of a refreshed NZDS.</p> <p>This Concluding Observation overlaps with the Concluding Observations on the Elimination of All Forms of Discrimination Against Women (CEDAW). Future actions will be considered through the development of the refreshed NZDS.</p>
Ministry of Business, Innovation & Employment	
<p>CO 16 (a): Expedite implementation of the Building Act of 2004 and commit to targets and time frames for implementation measures.</p> <p>Accessibility (art. 9)</p>	<p>Future actions will be considered through the development of the refreshed NZDS.</p>

Ministry of Health	
<p>CO 28 (b): Repeal provisions within the Intellectual Disability (Compulsory Care and Rehabilitation) Act of 2003 that allow for persons with disabilities to be detained for periods of time exceeding the maximum length of the sentence they would be liable to in the criminal justice system.</p> <p>Liberty and security of person (art. 14)</p>	<p>Future actions will be considered through the development of the refreshed NZDS</p> <p>Compulsory care under the IDCCR Act is not correctional detention, nor intended as a punishment for the crime that the person has been charged or convicted with. Instead, it provides individuals with support to learn skills and positive behaviours and length of care is determined by whether the person is assessed as being able to live independently and safely. In 2023, the MDP launched the High and Complex Framework, which works alongside the IDCCR Act to provide diversionary pathways away from prison for people with intellectual disabilities.</p>
<p>CO 36 (a): Immediately place a moratorium on sterilization, contraception and abortion procedures performed without personal consent, and take urgent action to adopt uniform legislation prohibiting such procedures on women and girls with disabilities.</p> <p>Protecting the integrity of the person (art. 17)</p>	<p>The Ministry of Health proposes to address the key concerns raised in this recommendation through its new Health of Disabled People work programme 2024-27 and with Health New Zealand.</p> <p>The new work programme has actions that aim to improve safeguards and assure safety of disabled people when they need to access the health system and health care.</p>
<p>CO 36 (d): Adopt legislative provisions to prohibit growth attenuation treatment (Ashley Treatment), including a prohibition on procedures sought outside New Zealand.</p> <p>Protecting the integrity of the person (art. 17)</p>	<p>The Ministry of Health proposes to address the key concerns raised in this recommendation through its new Health of Disabled People work programme 2024-27 and with Health New Zealand.</p> <p>The new work programme has actions that aim to improve safeguards and assure safety of disabled people when they need to access the health system and health care.</p>
<p>CO 36 (f): Develop measures to ensure reporting and data collection on sterilization, contraception and abortion procedures performed without personal consent, on non-urgent medical interventions performed on intersex children and on growth attenuation treatment.</p> <p>Protecting the integrity of the person (art. 17)</p>	<p>The Ministry of Health proposes to address the key concerns raised in this recommendation through its new Health of Disabled People work programme 2024-27 and with Health New Zealand.</p> <p>The new work programme has actions that aim to improve safeguards and assure safety of disabled people when they need to access the health system and health care.</p>
Ministry of Housing and Urban Development and Ministry of Business, Innovation & Employment	
<p>CO 16 (c): Adopt the principle of universal design and commit to a target of 100 per cent accessibility for any newly built public housing and introduce mandatory accessibility requirements for new housing constructed by the private sector.</p>	<p>The Ministry of Housing and Urban Development will consider actions to improve accessibility (within the levers it controls) through the development of the refreshed NZDS.</p>

Accessibility (art. 9)	Geographic barriers present practical challenges to a 100% target. Responsibility for 'housing built in the private sector' sits with MBIE.
Ministry of Justice	
CO 8 (a): Amend the Human Rights Act of 1993 to include an explicit recognition of the denial of reasonable accommodation as a form of discrimination and include a legislative definition of reasonable accommodation consistent with the meaning provided in article 2 of the Convention. Equality and non-discrimination (art. 5)	Future actions will be considered through the development of the refreshed NZDS. Any action would need to be part of a wider review of the Human Rights Act. Definition of Reasonable Accommodation in the Convention is expansive and might be seen as an additional form of regulation.
CO 8 (b): Adopt the legal and other measures necessary to provide for explicit protection from multiple and intersectional forms of discrimination, including discrimination based on the intersection between disability and other identities and life status, such as age, sex, gender, race, indigenous status, lesbian, gay, bisexual, transgender and intersex status, ethnicity, migratory status and national origin. Equality and non-discrimination (art. 5)	Future actions will be considered through the development of the refreshed NZDS.
CO 8 (c): Provide the New Zealand Human Rights Commission and the Human Rights Review Tribunal with the necessary financial and human resources for timely resolution of discrimination complaints. Equality and non-discrimination (art. 5)	Future actions will be considered through the development of the refreshed NZDS.
CO 46 (a): Repeal section 8 of the Adoption Act of 1955 and amend the statute to ensure that parents with disabilities are treated on an equal basis with other parents with respect to adoption. Respect for home and the family (art. 23)	The Ministry of Justice will provide advice to government through the Adoption Law Reform Program. The Adoption Law Reform Programme involved a comprehensive review of New Zealand's adoption laws. The Ministry will provide advice on policy proposals and legislative change. Further action is dependent on government work programme priorities and will be considered through the development of the refreshed NZDS. No commitment to repeal section 8 has been made at this time.
Oranga Tamariki	
CO 30: The Committee recommends that the State party take immediate action to eliminate the use of solitary confinement, seclusion, physical and chemical restraints and other restrictive practices in places of detention. Freedom from torture or cruel, inhuman, or degrading treatment or punishment (art. 15)	OT will consider future actions through the development of the refreshed NZDS. Oranga Tamariki will consider future actions through existing monitoring and assurance activities, practice and policy development processes, implementation planning for the Oranga Tamariki Disability Strategy and alongside the development of the refreshed NZDS.

	<p>The Department of Corrections is addressing the overarching recommendations made by the Inspectorate’s ‘Separation and Isolation Thematic Report’ through a BAU delivery model.</p>
<p>CO 34: The Committee recommends that urgent action be taken to amend legislative and policy frameworks that facilitate violence, abuse and neglect in institutions, to remove persons with disabilities from institutional settings with adequate support for living in the community, to investigate and sanction institutions and perpetrators and to provide victim and recovery support services and redress.</p> <p>Freedom from exploitation, violence and abuse (art. 16)</p>	<p>The Department of Corrections is leading cross-agency work to improve the management of people in prison with significant suspected and diagnosed intellectual disability.</p> <p>The Department of Corrections, along with other agencies, are working to implement system-based improvements so people with a significant suspected and diagnosed intellectual disability are supported through appropriate criminal justice pathways and can access the supports and services they require.</p> <p>OT will consider future actions through the development of the refreshed NZDS.</p> <p>Oranga Tamariki will consider future actions through existing monitoring and assurance activities, practice and policy development processes, implementation planning for the Oranga Tamariki Disability Strategy and alongside the development of the refreshed NZDS.</p>
<p>Ministry of Social Development and Ministry of Health</p>	
<p>CO 42: The Committee recommends that the State party take measures to ensure the affordability of necessary assistive devices, modification services and mobility aids, including assistive technology for persons with disabilities.</p> <p>Personal mobility (art. 20)</p>	<p>Future actions will be considered through the development of the refreshed NZDS.</p>
<p>Statistics NZ</p>	
<p>CO 58: The Committee recommends that the State party, in conjunction with Statistics New Zealand, develop a national disability data framework to ensure appropriate, nationally consistent measures for the collection and public reporting of disaggregated data on the full range of obligations contained in the Convention, especially with regard to Māori persons with disabilities, Pasifika persons with disabilities, lesbian, gay, bisexual, transgender and intersex persons with disabilities, children with disabilities and women and girls with disabilities.</p> <p>Statistics and data collection (art. 31)</p>	<p>Future actions will be considered through the development of the refreshed NZDS.</p> <p>The design and implementation of a Disability Data Framework is a significant piece of work and tied to dependencies, namely Stats NZ’s transformation programme for social and population statistics, including future census. Realistically, work will not make any material progress before the MDP lead delivery of the new Disability Strategy by 2026, so it is logical to consider the Framework in line with this.</p>

Table Three: Concluding Observations with no actions currently proposed

The Committee recommends that the State party:	Comment:
Previously agreed to by Cabinet in 2023 (change in position)	
Ministry of Disabled People	
<p>CO 6 (b): Develop legislative and policy frameworks that reflect the Treaty of Waitangi, the Convention on the Rights of Persons with Disabilities and the United Nations Declaration on the Rights of Indigenous Peoples to ensure that Māori persons with disabilities are closely consulted and actively involved in decision-making processes and that their right to self-determination is recognized.</p> <p>General principles and obligations (arts. 1–4)</p>	<p>No action currently proposed.</p>
<p>CO 16 (d): Establish a co-design and co-production process with organizations of persons with disabilities to address concerns about the Accessibility for New Zealanders Bill, following release of the Select Committee’s report.</p> <p>Accessibility (art. 9)</p>	<p>No action currently proposed.</p> <p>The Accessibility for New Zealanders Bill was discharged on 14 August 2024.</p>
Ministry of Health	
<p>CO 28 (a): Repeal all provisions that allow for the deprivation of liberty on the basis of impairment, including the Substance Addiction (Assessment and Treatment) Act of 2017.</p> <p>Liberty and security of person (art. 14)</p>	<p>No action currently proposed</p> <p>While there are no current plans to repeal the Act, the Government is continuing to progress work to respond to the 2020 review of the Substance Addiction (Assessment and Treatment) Act 2017. This work programme focuses on improving the assessment of, and care and treatment for, substance-related harm. The intention of the Act is to protect people with severe substance addiction from serious harm, stabilise their health, protect and enhance their mana and dignity, and restore their capacity to make informed decisions about further treatment and substance use.</p>
Ministry of Social Development	
<p>CO 40 (a): Expedite the national rollout of the Enabling Good Lives programme and ensure that all persons with disabilities, including people with foetal alcohol syndrome disorder, are eligible.</p> <p>Living independently and being included in the community (art. 19)</p>	<p>No action currently proposed.</p> <p>Cabinet agreed to pause work on the national roll-out of the EGL approach until work on the three stages of the Independent Review have been completed.</p>

<p>CO 54 (a): Expedite implementation of the recommendations of the report from the Welfare Expert Advisory Group to address the inequity and complexity within the social security system for persons with disabilities.</p> <p>Adequate standard of living and social protection (art. 28)</p>	<p>No action currently proposed.</p>
<p>CO 54 (b): Urgently address the fragmentation of the support system for persons with disabilities through a co-design and co-production process to address the inequity between Accident Compensation Corporation recipients and other persons with disabilities, including considering an integrated model of support to ensure uniform standards for all persons with disabilities.</p> <p>Adequate standard of living and social protection (art. 28)</p>	<p>No action currently proposed.</p>
<p>Ministry of Social Development and Ministry of Business, Innovation & Employment</p>	
<p>CO 52 (c): Repeal section 8 of the Minimum Wage Act of 1983 and ensure that persons with disabilities are paid on the principle of equal pay for work of equal value.</p> <p>Work and employment (art. 27)</p>	<p>No action currently proposed.</p> <p>In May 2024, the Government announced it would continue the existing minimum wage exemption scheme.</p>
<p>Oranga Tamariki</p>	
<p>CO 46 (b): Implement strategies to increase family placements for children with disabilities and to ensure that siblings can remain together in these placements.</p> <p>Respect for home and the family (art. 23)</p>	<p>No action currently proposed.</p>
<p>CO 46 (c): Significantly increase and resource comprehensive information, services and supports for children with disabilities and their families to prevent out-of-home placements and placements in institutions, including residential specialist schools.</p> <p>Respect for home and the family (art. 23)</p>	<p>No action currently proposed.</p>
<p>Previously noted in 2023 (not agreed to by Cabinet) - no change in position</p>	
<p>Ministry of Business, Innovation & Employment</p>	
<p>CO 38 (a): Review and amend its immigration and asylum legislation and administrative rules, in close consultation with and with the active involvement of organizations of persons with disabilities and migrants and refugees, to ensure that persons with disabilities do not face discrimination in any</p>	<p>No action currently proposed.</p> <p>This was ruled out by the last Government, and there has been no change to this position.</p>

of the formalities and procedures relating to immigration and asylum, in particular as a result of the application of the acceptable standard of health requirements. Liberty of movement and nationality (art. 18)	
CO 38 (b): Reverse the ineligibility under the acceptable standard of health medical waiver policy of persons with disabilities whose impairment requires full-time care. Liberty of movement and nationality (art. 18)	No action currently proposed. This was ruled out by the last Government, and there has been no change to this position.
CO 38 (c): Repeal section 392, paragraphs (2) and (3), of the Immigration Act of 2009, which prohibits the lodging of immigration-related complaints to the Human Rights Commission. Liberty of movement and nationality (art. 18)	No action currently proposed. This was ruled out by the last Government, and there has been no change to this position.
Ministry of Education	
CO 40 (d): Take measures to cease investment in residential specialist schools for children with disabilities and establish a deinstitutionalization process that ensures adequate support is provided for children with disabilities to return to their families and exercise their right to an inclusive education. Living independently and being included in the community (art 19)	No action currently proposed. The Ministry of Education is considering the role of residential specialist schools in the context of the findings and recommendations of the Royal Commission of Inquiry into Abuse in Care.
CO 48 (b): Withdraw the proposal to change entry requirements for enrolment in residential specialist schools and redirect funding and resources into an inclusive education system. Education (art 24)	No action currently proposed. The Ministry of Education is considering the role of residential specialist schools in the context of the findings and recommendations of the Royal Commission of Inquiry into Abuse in Care.
CO 48 (c): Develop specific culturally appropriate strategies to address the high proportion of Māori children with disabilities in residential specialist schools, including the provision of supports to remain with whānau (extended family networks) in their local communities. Education (art. 24)	No action currently proposed. The Ministry of Education is considering the role of residential specialist schools in the context of the findings and recommendations of the Royal Commission of Inquiry into Abuse in Care.
Oranga Tamariki	
CO 24 (a): Develop a disability justice strategy to address the overrepresentation of persons with disabilities in the care and protection, youth justice and prison populations, including by	No action currently proposed.

strengthening age-appropriate procedural accommodations, measures to prevent persons with disabilities coming into contact with the justice system, and training on disability rights in the justice and care and protection systems.

Access to Justice (art. 13)

