

## Summary

# The New Zealand Government's response to 'the list of issues prior to submission of the combined second and third periodic review of New Zealand'\*

\* Adopted by the Committee at its nineteen session (14 February – 9 March 2018).

# SUMMARY THE NEW ZEALAND GOVERNMENT'S RESPONSE TO 'THE LIST OF ISSUES PRIOR TO SUBMISSION OF THE COMBINED SECOND AND THIRD PERIODIC REVIEW OF NEW ZEALAND'

This document was published by the Office for Disability Issues, on behalf of the Disabled People's Organisations and government agencies involved in "The New Zealand Government's response to 'the list of issues prior to submission of the combined second and third periodic review of New Zealand'".

The full report is available online at:

[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fNZL%2f2-3&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fNZL%2f2-3&Lang=en)

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# Glossary

1. Some common Te Reo words that are used in this report are:

- **Aotearoa** – “used as the Māori name for NZ<sup>1</sup>”
- **Māori** – “indigenous person of Aotearoa/NZ<sup>2</sup>”
- **Te Reo/ Te Reo Māori** – the indigenous language of Aotearoa/NZ
- **Whānau** – “extended family, family group, a familiar term of address to a number of people – the primary economic unit of traditional Māori society. In the modern context the term is sometimes used to include friends who may not have any kinship ties to other members<sup>3</sup>.”

1 <https://maoridictionary.co.nz/search?idiom=&phrase=&proverb=&loan=&histLoanWords=&keywords=aotearoa>

2 <https://maoridictionary.co.nz/search?idiom=&phrase=&proverb=&loan=&histLoanWords=&keywords=maori>

3 <https://maoridictionary.co.nz/search?idiom=&phrase=&proverb=&loan=&histLoanWords=&keywords=whanau>

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# SUMMARY THE NEW ZEALAND GOVERNMENT'S RESPONSE TO 'THE LIST OF ISSUES PRIOR TO SUBMISSION OF THE COMBINED SECOND AND THIRD PERIODIC REVIEW OF NEW ZEALAND'

Some common abbreviations used in this report are:

- **ACC** – Accident Compensation Corporation
- **CRPD** – the United Nations Convention on the Rights of Persons with Disabilities
- **DPO Coalition** – Disabled People's Organisations Coalition. There are currently seven organisations in the DPO Coalition which are made up of, or primarily governed by, disabled people<sup>4</sup>
- **IMM** – The Independent Monitoring Mechanism which is made up of the Human Rights Commission, the Office of the Ombudsman and the DPO Coalition.

2. The New Zealand (NZ) Government welcomes the combined second and third periodic review of its implementation of the CRPD as an opportunity to acknowledge, and continue to make progress on, the rights of disabled people.

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4 The seven organisations are: Association of Blind Citizens of New Zealand Inc, Balance Aotearoa, Deaf Aotearoa New Zealand Inc, Disabled Persons Assembly New Zealand Inc, Kāpo Māori Aotearoa New Zealand Inc, Muscular Dystrophy Association of New Zealand Inc, People First New Zealand Inc Ngā Tāngata Tuatahi.

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3. The following report provides answers to the questions posed by the UN Committee on the Rights of Persons with Disabilities. These questions are written in bold, with the Government’s answers underneath.
4. This report uses the term ‘disabled people’. This is the language used in the NZ Disability Strategy 2016-2026 (the Disability Strategy)<sup>5</sup>, based on the advice of the Strategy’s reference group<sup>6</sup> which was made up of disabled people and their whānau<sup>7</sup>.
5. During the preparation of this report, the Government has engaged with the DPO Coalition, disability sector organisations, the IMM and the public.

5 See [www.odi.govt.nz/nz-disability-strategy/about-the-strategy/new-zealand-disability-strategy-2016-2026/read-the-new-disability-strategy/](http://www.odi.govt.nz/nz-disability-strategy/about-the-strategy/new-zealand-disability-strategy-2016-2026/read-the-new-disability-strategy/)

6 The New Zealand Disability Strategy Reference Group members are detailed here: [www.odi.govt.nz/nz-disability-strategy/about-the-strategy/new-zealand-disability-strategy-2016-2026/read-the-new-disability-strategy/new-zealand-disability-strategy-read-online/getting-it-going-who-is-involved/#appendix](http://www.odi.govt.nz/nz-disability-strategy/about-the-strategy/new-zealand-disability-strategy-2016-2026/read-the-new-disability-strategy/new-zealand-disability-strategy-read-online/getting-it-going-who-is-involved/#appendix)

7 Whānau is the Te Reo word for “extended family, family group, a familiar term of address to a number of people - the primary economic unit of traditional Māori society. In the modern context the term is sometimes used to include friends who may not have any kinship ties to other members.”

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6. Since our first periodic review, there have been a number of changes, which have created the opportunity for greater realisation of disabled peoples' rights. This includes:
- A change in Government following a 2017 General Election led to the Minister for Disability Issues<sup>8</sup> now sitting within Cabinet.
  - The new Government in its speech from the throne made a strong commitment to inclusion<sup>9</sup>. It has also established a number of reforms and inquiries including:
    - the development of a Learning Support Action Plan 2019-2025
    - the Royal Commission into Historical Abuse in State Care and in the Care of Faith-based Institutions
    - the Government Inquiry into Mental Health and Addiction
  - the creation of the Welfare Expert Advisory Group<sup>10</sup>.

8 The Minister for Disability Issues is Hon Carmel Sepuloni.

9 "This will be a government of inclusion. All who live in this country are entitled to respect and dignity; all are entitled to live meaningful lives; all are entitled to care and compassion. Everyone should have a roof over their head and be warm in winter. Everyone should have food and a table to put it on."

10 The Welfare Expert Advisory Group (WEAG) is a group of experts who advise the Government on the future of the welfare system.

- Budget 2018 provided a significant additional four-year investment (approximately \$460 million) in disability services, supports and work programmes<sup>11</sup>.
- In 2018, Cabinet agreed to “commence the design of an approach to achieve a fully accessible NZ, in collaboration with stakeholders”. This will include developing a common understanding of what “fully accessible” looks like and exploring the feasibility of using legislation to provide for standards and codes for accessibility. A report back to Cabinet is due in June 2019.
- A Ministerial Leadership Group on Disability Issues was formed to provide a twice-yearly opportunity for Ministers to hear directly from the IMM on strategic policy issues that impact on disabled people.
- In 2016, the revision of the Disability Strategy; in 2015, an update to the Disability Action Plan 2014-2018 and an update currently underway to create Disability Action Plan 2019-2022; and the development of an Outcomes Framework to monitor the Disability Strategy<sup>12</sup>.

11 Ministry of Health Disability Support Services (\$210.628m); Ministry of Education Learning Support (\$249.323m); Representation at the United Nations Committee on the Rights of Persons with Disabilities (\$0.325m).

12 See [www.odi.govt.nz/](http://www.odi.govt.nz/)



- The creation of: the NZSL Strategy and Action Plan, and NZSL Board to promote and protect NZSL comprising members of the Deaf community (see question 20a)<sup>13</sup>.
- The launch of an Accessibility Charter<sup>14</sup> which is a commitment for Government to make public information and services more accessible for disabled people.
- The release of a 'Buildings for Everyone' guide<sup>15</sup> which encourages building owners and designers to consider the needs of all users of public buildings from the start. This provides guidance on designing accessible public buildings.

13 See [www.odi.govt.nz/nzsl/](http://www.odi.govt.nz/nzsl/)

14 See [www.msd.govt.nz/about-msd-and-our-work/newsroom/2018/accessible-public-information.html](http://www.msd.govt.nz/about-msd-and-our-work/newsroom/2018/accessible-public-information.html)

15 See [www.building.govt.nz/building-code-compliance/d-access/accessible-buildings/](http://www.building.govt.nz/building-code-compliance/d-access/accessible-buildings/)

- Data on disability is improving following the Washington Group Short Set of questions on disability<sup>16</sup> being included in the national census and some government surveys<sup>17</sup>. These questions allow comparisons to be made between disabled and non-disabled people<sup>18</sup>. Despite the progress made, there are still many data collections across government that cannot produce any information about disabled people, particularly disabled children and data disaggregated by disability-type.
- The Oranga Mahi<sup>19</sup> programme was launched to trial and evaluate new ways of delivering integrated health, social and employment support for clients with a health condition or disability<sup>20</sup>. This is a strategic partnership between the Ministry of Social Development and the health sector.

16 See [www.washingtongroup-disability.com/](http://www.washingtongroup-disability.com/)

17 The Washington Group Short Set of questions on disability were recently included in: the 2018 Census of Population and Dwellings (this data is not yet available), NZ General Social Survey (See [www.stats.govt.nz/information-releases/well-being-statistics-2016](http://www.stats.govt.nz/information-releases/well-being-statistics-2016), in the 2016/17 survey year and every two years subsequent), the Household Labour Force Survey (See [www.stats.govt.nz/information-releases/labour-market-statistics-june-2018-quarter](http://www.stats.govt.nz/information-releases/labour-market-statistics-june-2018-quarter), June quarters from 2017), NZ Health Survey (in the field in 2018), NZ Crime and Victimization Survey (2019), Public Service Census (February 2019).

18 The Washington Group Short Set of questions on disability are not designed to produce counts or rates of disabled people in New Zealand. They are used, like other demographic characteristics including sex and ethnic group, to allow the comparison of outcomes for different population sub-groups

19 “Oranga mahi” is Te Reo meaning wellness through work.

20 See [www.msd.govt.nz/about-msd-and-our-work/publications-resources/corporate/annual-report/2016-2017/reducing-the-welfare-liability.html](http://www.msd.govt.nz/about-msd-and-our-work/publications-resources/corporate/annual-report/2016-2017/reducing-the-welfare-liability.html)

- The Government will be consulting with the disability sector on the proposed design of a wage supplement approach, which would support the removal of the Minimum Wage Exemption.
- The Government is making significant changes to its disability support system.
  - A prototype for the disability support system transformation started in the MidCentral District Health Board's area<sup>21</sup> from October 2018. This prototype is called Mana Whaikaha<sup>22</sup>
  - In the prototype, disabled people and their families and whānau will have more options and greater decision-making over what supports they need to live the life they want, rather than their lives having to fit around what services have been on offer. This is the Enabling Good Lives approach.

21 The New Zealand Public Health and Disability Act 2000 created District Health Boards. District Health Boards are responsible for providing or funding the provision of health services in their geographical district. There are currently 20 District Health Boards in New Zealand. Available at: [www.health.govt.nz/new-zealand-health-system/key-health-sector-organisations-and-people/district-health-boards](http://www.health.govt.nz/new-zealand-health-system/key-health-sector-organisations-and-people/district-health-boards)

22 Mana Whaikaha reflects people's strength, mana (influence, dignity) and mauri (life essence). Whaikaha means to have strength, to have ability, to be otherly abled, and to be enabled. See <https://manawhaikaha.co.nz/about-us/mana-whaikaha-korero/>

- The Government has co-designed the prototype with disabled people and their families. The Government has established a mechanism to ensure that disabled people and their families and whānau continue to be at the centre of the disability support system.
- Key features of the prototype are that disabled children, disabled young people and disabled adults and their families and whānau are welcomed into the system in multiple ways, having access to a Connector<sup>23</sup> to walk alongside them. Information and processes will be accessible to meet the community's diverse needs.
- A 'try, learn and adjust' approach will be taken over the first year of the prototype to refine and finalise the model, and inform future decisions on the rollout of a new disability support system across NZ

23 Connectors/Kaitūhono are the people in the transformed system who can walk alongside disabled people and family/whānau if they choose, to help them identify what they want in their lives, how to build their life, and the range of supports available to live their life



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