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Human
Rights.**

Human Rights Commission
Te Kāhui Tika Tangata

New Zealand's National Plan of Action on Human Rights

Te Mahere Rautaki ā-Motu

Final Report for the 2014-2019 UPR cycle

July 2019



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1. Introduction and overview

New Zealand's National Plan of Action on Human Rights (NPA) – Te Mahere Rautaki ā-Motu – is an online tool tracking progress on actions the government committed to take to address recommendations from the 2014 Universal Periodic Review (UPR) of New Zealand's human rights record.¹

New Zealand's third UPR review took place in January 2019.² The government received a total of 194 recommendations. On 4 July 2019, the Government released its formal response to these recommendations. Of these recommendations, the New Zealand Government accepted 160 and noted 34.

The adoption of the 2019 UPR recommendations brings the 2014 UPR cycle, on which this NPA is based, to a close. This report provides the final update on progress against the second UPR cycle. It is based on information provided by relevant Government agencies about their progress towards the recommendations and actions arising from the 2014 review process.

As at 30 June 2019:

- 62 actions are recorded as “completed”
- 31 actions are recorded as “in progress”
- 6 actions are recorded as “removed” (superseded)
- One action has no progress status listed, as there has been no progress and the action has not been superseded.

There has been good progress in areas such as children's rights during the period of this NPA and examples of completed actions directly reflecting UPR recommendations, for example, the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities. Progress in other areas has been uneven, and in some cases disappointing. Notably, the failure to make any progress on the action related to advancing constitutional reform and the absence of comprehensive actions linked to harmonious race relations recommendations which were accepted by the government. This includes the recommendation to “develop a comprehensive legislative framework for addressing the problem of racial discrimination and incitement of racial hatred”.

Over the next few months the Commission will consider how best to monitor and review progress against the 2019 UPR recommendations and whether to continue to utilise the current online monitoring tool for this purpose.

¹ For more information about the UPR, see the United Nations Human Rights Council website:

<https://www.ohchr.org/EN/HRBodies/UPR/Pages/NZindex.aspx>

² <https://www.ohchr.org/EN/HRBodies/UPR/Pages/NZindex.aspx>

2. What is the National Plan of Action – Te Mahere Rautaki ā-Motu?

The National Plan of Action (NPA) is an online tool publicly accessible at npa.hrc.co.nz. It lists and categorises the recommendations made in the last Universal Periodic Review (UPR) of New Zealand’s human rights record.³ It lists 100 government actions in response to those recommendations and provides updates on progress against those actions.⁴

The NPA seeks to foster accountability through transparency, by allowing NGOs, the Government, the Human Rights Commission, and the public to access information about human rights action progress, indexed to New Zealand’s international human rights commitments.

2.1 National Plans of Action for human rights

A national plan of action on human rights is an opportunity for government and communities to work together to “... articulate a comprehensive and pragmatic programme of activities aimed at progressively bringing about improvements” in our human rights situation.⁵

National human rights action plans are premised on the view that lasting improvements in human rights ultimately depend on government and society committing to concrete action to bring about positive change.⁶

In New Zealand, development of a national plan of action is a statutory function of the Human Rights Commission.⁷ This is unusual internationally, as national plans of action are typically government-created and owned. Placing the NPA obligation with the Human Rights Commission was seen to provide some independence from government, and an opportunity for the Human Rights Commission to lead community engagement on the NPA.

2.2 Past National Plans of Action in New Zealand

The Commission published its first NPA in 2004. A 444-page comprehensive written report, *Human Rights in New Zealand Today: Ngā Tika Tangata O Te Motu*, established the basis for the *New Zealand Action Plan for Human Rights 2005–2010*, which was published in a separate document along with associated recommended actions.⁸

The development of the NPA was informed by a nationwide public opinion study conducted by UMR research, by specially formed advisory groups, and by input from almost 5000 individuals, groups and agencies.⁹ It was also co-signed by the Children’s Commissioner of the time, alongside the Human Rights Commissioners.

In 2010, the Commission produced its update report which assessed progress against the priorities set out in the *New Zealand Action Plan for Human Rights 2005–2010*. Like its predecessor, it took the

³ Recommendations from a range of other international human rights processes (for example, recommendations from the Committee on the Rights of the Child) have been loaded into the tool and categorised, but no related government actions have been added to the tool

⁴ Note that action numbers go up to 105 because some action numbers were not used. There is no action 12, 26, 91, 92 or 98 on the tool

⁵ United Nations Office of the High Commissioner for Human Rights “Handbook on National Human Rights Plans of Action” (29 August 2002) at page 9

⁶ United Nations Office of the High Commissioner for Human Rights “Handbook on National Human Rights Plans of Action” (29 August 2002) at page 8. Learn more about the history and purpose of national plans of action here: <https://www.ohchr.org/Documents/Publications/training10en.pdf>

⁷ Under section 5(2)(m) the Human Rights Act <http://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304276.html>

⁸ It remains available for download from Parliament’s website: <https://www.parliament.nz/resource/0000045506>

⁹ *Human Rights in New Zealand Today: Ngā Tika Tangata O Te Motu*, page 24

form of an extensive written report (378 pages): *Human Rights in New Zealand 2010: Ngā Tika Tangata O Aotearoa*. An 88-page summary report was also produced.¹⁰ Both of the 2010 documents remain available on the Commission's website.¹¹

3. How does the National Plan of Action work?

3.1 Current online National Plan of Action

In 2014 the Commission took a different approach to the NPA, opting for an online monitoring tool. Instead of the Commission developing a set of recommended actions, the NPA was based around the recommendations that had arisen from the 2nd cycle of the Universal Periodic Review (UPR) that were supported by the New Zealand Government.

Government agencies provide regular updates of actions taken to implement the various recommendations. This is intended to enable users to monitor and track the Government's implementation of its UPR obligations.

Concluding observations from UN treaty bodies have also been made available to view on the online tool, although no actions are linked to recommendations other than UPR recommendations.

Civil society did not directly contribute to the online tool's content. However, civil society engagement had occurred through the UPR process and for this reason the expectation was that the UPR outcomes would adequately reflect civil society priorities and concerns.

As part of this online approach, every action on the NPA has an assigned government agency responsible for implementing the action. Twice a year, the Human Rights Commission contacts those agencies and requests an update on progress for the actions assigned to them. The updates are then loaded into the online tool and can be viewed on the NPA site. The accuracy and completeness of the content is contingent on the nature and quality of the content provided by the responsible agencies.

4. How have human rights progressed under the current National Plan of Action?

This report provides a brief summary of the current progress towards implementing the NPA actions. It provides a snapshot of the current position only and has a number of limitations. It is difficult to capture, in written report form, some of the features of the online NPA (such as complex grouping and re-grouping of actions and recommendations).

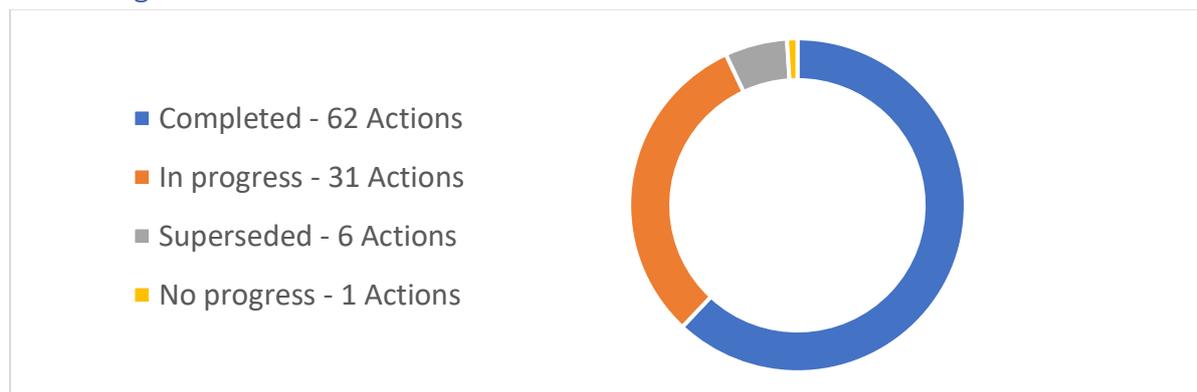
This section summarises overall progress, and specific developments in particular areas. Actions in the NPA are categorised by population group and by human rights topic, and the complexity and inter-relationship of those multiple categorisations is best shown in the online tool.

The results show that in some areas the government has made significant progress and has exceeded the actions set in the NPA, for example in the area of children's rights. But in other areas government has accepted few recommendations and acted on even less, for example in the important area of international human rights frameworks.

¹⁰ *Human Rights in New Zealand 2010 - summary: Ngā Tika Tangata O Aotearoa – Whakarāpototanga*

¹¹ https://www.hrc.co.nz/files/7014/2388/0544/Human_Rights_Review_2010_Full.pdf and https://www.hrc.co.nz/files/8414/2388/0549/Human_Rights_Review_2010_Summary.pdf

4.1 Progress on actions in the National Plan of Action



Since the last NPA annual report, nine actions have now been changed to “completed” status.¹² This status has been assigned based on information provided by Government agencies during their biannual updates. Two “completed” actions have been updated to “removed/superseded”.¹³ This means that 62 of the 100 NPA actions have now been reported as completed. Six actions have been removed as superseded. One has had no progress, and 31 are in progress.

The wording of the actions, and the approach taken to reporting by individual Government agencies, influences how an action’s status is reported. For example, some actions that are ongoing have been reported as “completed”, while others are reported as “in progress”. This reflects the difficulty in assigning a status for actions which are ongoing by nature, but that are progressing as expected and those that are yet to be completed, but progress is being made towards completion. Some actions are simply not drafted in a manner that allows for “completion” to be assessed.

4.2 Progress on the Universal Periodic Review recommendations

The New Zealand Government accepted 121 of the 155 recommendations it received at the last UPR review in 2014.¹⁴ Within this 121, multiple recommendations were substantively duplicated. Often, several recommendations could be clustered by near identical core aims or objectives with only slight language differences between them. As discussed further in this report, most of the 34 recommendations that were not accepted were related to international human rights frameworks or constitutional changes.

Of the 121 recommendations that were accepted, 34 recommendations were not assigned actions to progress or fulfil them as part of the national plan of action. The Government response to some of these recommendations provided comment about alternative efforts that were either being developed or were already being actioned by government agencies.

Recommendation 138 is an example of an accepted recommendation assigned no action. The Government response is shown here:

¹²Compare New Zealand’s National Plan of Action on Human Rights Mahere Rautaki ā-Motu: Annual Report 2018 (30 June 2018) https://www.hrc.co.nz/files/1415/3082/8692/NPA_Report_FINAL_FINAL.pdf, at 3 summary of action progress, against <https://npa.hrc.co.nz/category/310> which indicates that actions 13, 15, 42, 44, 45, 56, 68, 69 and 85 changed from “in progress” to “completed”

¹³ These were action 39, “Evaluate the Christchurch Enabling Good Lives (EGL) demonstration” <https://npa.hrc.co.nz/actions/39> and action 100 “Establish and support new Children’s Teams” <https://npa.hrc.co.nz/actions/100>. Action 100 is associated with a range of other actions (101-105) which remain reported as “completed”

¹⁴ <https://npa.hrc.co.nz/recommendations?cat=1&where=accepted%3Atrue>

Recommendation	Recommendation title	Government response comment
138	Increase the number of childcare facilities and ensure that the most disadvantaged groups also have access to childcare subsidies under the Working Families Scheme	“New Zealand will meet the underlying principle of this recommendation through various means. The Government has set a target that in 2016, 98% of children starting school will have participated in quality early childhood education. The Government provides funding that supports providers of early childhood education, including for the most vulnerable children.”

Often multiple actions were assigned to a single recommendation.¹⁵ Together the actions contributed to the overarching objective the recommendation stated. Individually, each action would only contribute to a small part of the recommendation.

Recommendations that were materially similar were often linked to similar groups of actions. The value or objective relevance of some of the actions in these groups to the recommendation often varied, depending on the scope of the recommendation.

The scope of some recommendations is broad. For example, recommendation 64 asked that the Government “*Promote employment, the right to health and judicial fairness for Māori and the Pacific Islanders and raise the level of education for their children.*”¹⁶ The broad scope of the recommendation resulted in a wide range of actions, with varying levels of relevance and contribution linked to progressing this recommendation and other similar ones. It is not possible to say that recommendations like this – or many of the actions associated with them – have been “completed”, and so the action is categorised as “in progress”. The details of the steps taken to progress the action are available to view in the online tool.

Some recommendations were framed more specifically, requesting that the Government introduce a piece of legislation, resource a proposed or existing initiative, or accede to a specific international mechanism. In some instances, the government was responsive, in designing an action that directly met and ultimately fulfilled the recommendation that the action was relevant to.

Relatively few recommendations were matched with an action that directly addressed the recommendation, and that was completed. The table below shows examples of recommendations accepted by government, alongside completed actions that fulfil the recommendation.

UPR recommendation	Linked NPA action/s	HRC analysis of government response	Status
Recommendation 85: Expedite the development of a new Māori language strategy	Six actions linked to this recommendation	Together the six linked actions comprise a multi-faceted approach for developing and implementing a Māori language strategy. In 2018, the Government released <i>Maihi Karauana</i> – its strategy for Māori language revitalisation. This followed the passage of <i>Te Ture Mō Te Reo Māori</i> (The Māori Language Act) in 2016. The Act legislated the introduction of <i>Te Mātawai</i> .	Complete ¹⁷

¹⁵ For example, recommendation 64 has 24 actions attached

¹⁶ <https://npa.hrc.co.nz/recommendations/64>

¹⁷ Including one, action 89 (“provide advice on the development of a monitoring framework for the Māori Language Strategy 2014”) which is marked as “removed” (superseded)

Recommendation 6: Consider ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP-CRPD)	Action 9: Consider acceding to the Optional Protocol to the United Nations Convention on the Rights of People <i>[sic]</i> with Disabilities	Action reflected the recommendation. The New Zealand Government acceded to the Optional Protocol and entered into force on November 16, 2016	Completed
Recommendation 154: Ensure that the new legislation on surveillance of communications by the intelligence service complies with international law, particularly with the principle of proportionality	Action 13: Review the Government Security Services with a focus on New Zealand's International human rights obligations	The Intelligence and Security Act 2017, which implemented the vast majority of the First Independent Review of Intelligence and Security, came into full force on 28 September 2017. The Act governs the intelligence and security agencies and their oversight bodies. It includes specific provisions that emphasize the requirement for the agencies to comply with domestic and international human rights standards, including when cooperating with foreign partners	Completed

4.3 Progress on particular areas of human rights

The following sections set out all actions related to particular NPA human rights areas, with information about the responsible government agency and the reported status of the action. Where actions relate to more than one NPA human rights issue, it has been listed only in one human rights area table to avoid repetition.

4.3.1 International human rights framework

Action number	Action title	Agency	Status
9	Consider acceding to the Optional Protocol to the Convention on the Rights of People <i>[sic]</i> with Disabilities	Ministry of Social Development	Completed
66	Report on progress towards Better Public Services Results as part of the Open Government Partnership: Plan of Action	State Services Commission	Completed
67	Respond to Transparency International 2013 National Integrity System Assessment Report	State Services Commission	Completed
13	Review the Government Security Services with a focus on New Zealand's international human rights obligations	Office of the Attorney-General	Completed
8	Consider acceding to the International Convention for the Protection of all Persons from Enforced Disappearances (CPED)	Ministry of Justice	In progress
10	Consider the implications of signing and ratifying the Optional Protocol to the Convention on the Rights of the Child- Individual Communications	Ministry of Social Development	In progress

The key progress in this area under the 2014 NPA was the ratification of the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities, which provides an individual

complaints mechanism under that Convention.¹⁸ This important step has been welcomed by the disability community.

Meanwhile, New Zealand has not given effect to a number of individual complaints mechanisms under other Conventions and Covenants to which it is a State Party, including:

- Article 14 of the United Nations Convention on the Elimination of all forms of Racial Discrimination.
- The third Optional Protocol to the United Nations Convention on the Rights of the Child (CRC) – Individual Communications. The Children’s Convention Monitoring Group continues to call for this ratification, but advice to Ministers on the matter is being developed, and the latest update did not indicate that ratification would be advised. The update said that “Officials from the Ministries of Foreign Affairs, Justice and Social Development, Ministry for Children—Oranga Tamariki and Crown Law have been discussing the implications of justiciability of economic, cultural and social rights within New Zealand.”¹⁹
- The Optional Protocol to the International Covenant on Economic, Social, Cultural and Economic Rights (ICESCR).

New Zealand has also not ratified:

- The International Convention on the Protections of the Rights of all Migrant Workers and members of their families
- The Convention on the protection of all persons from Enforced Disappearance (note that the Ministry of Justice has extended the target date for consideration of this action to late 2019.²⁰)
- International Labour Organisation (ILO) Conventions 87 and 169
- The 1954 Convention relating to the Status of Stateless Persons
- The Arms Trade Treaty – the government accepted the recommendation to increase efforts towards ratification, but no action in the NPA is linked to that recommendation.²¹

New Zealand received 45 recommendations²² relating to the “[international human rights framework](#)”, and it was the area where the government accepted the lowest proportion of recommendations. The government accepted 21 of the 45 UPR recommendations made in this area. This indicates a reluctance by government to respond to UPR recommendations that call directly for the ratification of additional international instruments. It has sometimes accepted recommendations which call for it to (for example) “consider ratifying” an instrument. However, it did not accept recommendations to consider ratifying the Optional Protocol to the ICESCR²³ or to consider acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW).²⁴

¹⁸ <https://npa.hrc.co.nz/actions/9>

¹⁹ <https://npa.hrc.co.nz/actions/10>

²⁰ <https://npa.hrc.co.nz/actions/8>

²¹ <https://npa.hrc.co.nz/recommendations/25>

²² <https://npa.hrc.co.nz/recommendations?cat=1&cat=36&items=100>

²³ For example recommendations numbered 8 and 9 on the NPA: <https://npa.hrc.co.nz/recommendations/8> and <https://npa.hrc.co.nz/recommendations/9>

²⁴ For example, <https://npa.hrc.co.nz/recommendations/17>

4.3.2 Democratic rights and freedoms

Action number	Action title	Agency	Status
14	Advance the Constitutional Review	Ministry of Justice	No progress

The NPA categorises 30 recommendations as relating to democratic rights and freedoms.²⁵ There was some overlap with the actions categorised as relevant to the international human rights framework, and the progress New Zealand has yet to make in this area – for example in relation to the enhanced reflection of economic, social and cultural rights in New Zealand law.²⁶ See the discussion in the section above.

The sole NPA action tagged to “democratic rights and freedoms” was the action to advance the constitutional review. The substantive update provided to the Commission is that “The Government has considered the Constitutional Advisory Panel Report and is satisfied that the objective of facilitating public engagement, awareness and discussion on New Zealand constitutional arrangements has been achieved. The Government will consider the report and its recommendations as work in the constitutional area is progressed in the future, but it will not issue a formal response.”

This action has been assigned a “no progress” status because government included an action in the NPA but then decided not to take any action or any steps to progress the recommendation. This position is extremely disappointing given the significance of this issue for all New Zealanders and recommendations over the past few years from United Nations Committees to take further steps to implement the recommendations made by the Constitutional Advisory Panel.²⁷

4.3.3 Human rights of Māori

Action number	Action title	Agency	Status
1	Provide young Māori offenders on community sentences or orders with greater access to non-corrections re-integrative services	Department of Corrections	Completed
51	Offer selected prisoners nearing the end of their sentence the Whare Oranga Ake	Department of Corrections	Completed
32	Reduce the risk of rheumatic fever for Māori and Pacific children and families	Ministry of Health	Completed
79	Enhance Māori cultural competence in the disability services	Ministry of Health	Completed
5	Provide pre-charge warnings	Ministry of Justice	Completed
55	Strengthen the partnership between Government and Māori by achieving fair, just and durable settlements of historical claims under the Treaty of Waitangi	Ministry of Justice	Completed

²⁵ <https://npa.hrc.co.nz/recommendations?cat=1&cat=37&items=100>

²⁶ See for example recommendation 29 to “Further enhance the legislation and legal system, with more considerations to the harmonization of domestic developments and the international stipulations on human rights, including those of the International Covenants on Civil and Political Rights and on Economic, Cultural and Social Rights.” That recommendation was accepted by the government, whereas recommendation 35 to “Proceed to the review of the Bill of Rights Act of 1990 in order to incorporate ratified international agreements on economic, social and cultural rights” was not accepted

²⁷ International Convention on the Elimination of All Forms of Racial Discrimination, “Committee on the Elimination of Racial Discrimination: Concluding observations on the combined twenty-first and twenty-second periodic reports of New Zealand”, 22 September 2017, CERD/C/NZL/CO/21-22, at [12]-[13]; Economic and Social Council, “Committee on Economic, Social and Cultural Rights: Concluding observations on the fourth periodic report of New Zealand”, 1 May 2018, E/C.12/NZL/CO/4, at [5], [6] and [9]

54	Test a partnership approach to working with Māori leadership and service deliverers to improve Māori justice outcomes	Ministry of Justice & Police	Completed
4	Provide Community/Iwi (Tribal) panels	Police	Completed
28	Establish yearly targets to increase the number of Māori police recruits	Police	Completed
70	Ensure effective, visible and visionary leadership across all areas of Māori life in order to strengthen whānau (families) and eliminate domestic violence	Ministry of Social Development	Completed
71	Change attitudes and behaviour among Māori in relation to domestic violence	Ministry of Social Development	Completed
72	Ensure safety and accountability among Māori in relation to domestic violence	Ministry of Social Development	Completed
73	Improve whānau (family) and community access to the appropriate support to address issues of violence	Ministry of Social Development	Completed
74	Develop best practice around the critical aspects of programme design and delivery that are pivotal to success for Māori whānau (family)	Ministry of Social Development	Completed
87	Provide advice on the development of Matrix of Indicators and Headline indicators for the Māori Language Strategy 2014	Te Puni Kōkiri	Completed
88	Provide advice on the development of an evaluation framework for the Māori Language Strategy 2014	Te Puni Kōkiri	Completed
90	Enact the Māori Language (Te Reo Māori) Bill 2014 to ensure the effective implementation of the Māori Language Strategy 2014	Te Puni Kōkiri	Completed
68	Develop Māori Language indicators to monitor key result areas of Māori Language Strategy delivery	Te Taura Whiri i Te Reo Māori	Completed
81	Work across government and with communities to strengthen primary prevention initiatives that keep Māori women safe from becoming victims of intimate partner and sexual violence	Ministry for Women	Completed
93	Improve educational outcomes for Māori students by implementing Ka Hikitia – Accelerating Success 2013–2017	Ministry of Education	In progress
80	Monitor Māori Health progress	Ministry of Health	In progress
69	Develop an evaluation programme for Māori language services and programmes	Te Taura Whiri i Te Reo Māori	Completed
2	Delivery of Tikanga programmes (both in prison and in the community)	Department of Corrections	In progress
3	Prepare Māori prisoners for their release by delivering the Te Tirohanga programme	Department of Corrections	In progress
35	Reduce the number of Māori placed under Community Treatment Orders through the Mental Health (Compulsory Assessment and Treatment) Act 1992 (Mental Health Act)	Ministry of Health	In progress
6	Support the judiciary in its operation of 14 Rangatahi Courts and three Pasifika Courts located throughout New Zealand	Ministry of Justice	In progress
7	Deliver Drivers of Crime and Youth Crime Action Plan	Ministry of Justice	In progress
89	Provide advice on the development of a monitoring framework for the Māori Language Strategy 2014	Te Puni Kōkiri	Removed

Of the 100 actions in the NPA, 32 are categorised as particularly relevant to Māori.²⁸ These include actions to promote health,²⁹ justice sector reform,³⁰ Tiriti o Waitangi settlements,³¹ and actions to promote the right to te reo Māori.³²

Significant change has taken place in relation to the promotion of the right to te reo Māori during the period covered by this NPA. One action (“Provide advice on the development of a monitoring framework for the Māori Language Strategy 2014”³³) was removed from the NPA, deemed as completed and superseded by the development of the Maihi Karauna – the Crown’s Strategy for Māori Language Revitalisation 2018-2023.³⁴ Other actions were completed, including enactment of Te Ture mō Te Reo Māori 2016. This established a new independent statutory entity, Te Mātāwai, to provide leadership on behalf of Iwi and Māori in their role as kaitiaki of the Māori language.³⁵

Three actions in the education area are still in progress.³⁶ Two of these in-progress actions affect many New Zealand children: one relates to addressing bullying in schools,³⁷ and the other relates to “the provision of a curriculum that actively values diversity”³⁸. The third is the implementation of the Māori Education Strategy Ka Hikitia,³⁹ which is now undergoing a refresh. The commentary related to this action mentions a range of other Māori educational strategies under review and developments that are not featured on the NPA.

The Ministry of Social Development E Tū Whānau programme was the focus of five different completed actions.⁴⁰ This programme has a wide reach with it being visible in both urban and rural communities. It is intended to enable vulnerable Māori groups to lead positive projects and promotions for change.

The eleven actions in the justice system area (with Police, Ministry of Justice, and Corrections responsibility), are variously completed or in progress.⁴¹ One action in this area has a title that suggests a broader action than that explained in the accompanying detail. The action is titled “Test a partnership approach to working with Māori leadership and service deliverers to improve Māori justice outcomes”,⁴² but the scope of the desired outcome identified by the Government to achieve the action is limited to the establishment of Te Pae Oranga⁴³ Iwi Community Panels for addressing low-level offending. Nonetheless, these panels appear to have had a positive effect, reducing reoffending for young Māori participants. The more comprehensive partnership suggested by the title of the action might be the sort of approach to come from current broader work on addressing

²⁸ <https://npa.hrc.co.nz/category/39>. Note that one action can be tagged to multiple population groups and human rights issues. In this case, actions 29, 40, 96 and 97 are recorded under other categories

²⁹ <https://npa.hrc.co.nz/actions/80>

³⁰ <https://npa.hrc.co.nz/actions/6>

³¹ Action 55: “Strengthen the partnership between Government and Māori by achieving fair, just and durable settlements of historical claims under the Treaty of Waitangi” <https://npa.hrc.co.nz/actions/55>

³² Four actions (actions 87-90) relating to the Māori Language Strategy 2014

³³ <https://npa.hrc.co.nz/actions/89>

³⁴ <https://www.tpk.govt.nz/en/a-matou-kaupapa/maihi-karauna>. See also <https://npa.hrc.co.nz/actions/89>

³⁵ <https://npa.hrc.co.nz/actions/90>

³⁶ Actions 93, 96 and 97

³⁷ <https://npa.hrc.co.nz/actions/97>

³⁸ <https://npa.hrc.co.nz/actions/96>

³⁹ <https://npa.hrc.co.nz/actions/93>

⁴⁰ Actions 70-74

⁴¹ Actions 1-7, 28, 41, 51,54 and 55

⁴² <https://npa.hrc.co.nz/actions/54>

⁴³ <http://www.tpo.org.nz/te-pae-oranga>

the effect of the justice system on Māori – and the ineffectiveness of the justice system in promoting safety.⁴⁴

Other actions were aimed at enhancing Māori cultural competence in disability services (completed),⁴⁵ to monitor and improve Māori health (in progress),⁴⁶ and to reduce the risk of rheumatic fever in Māori and Pacific children and families (completed).⁴⁷ Those two actions listed as completed reflect areas where progress has been made but where ongoing vigilance is required to ensure that this achievement is maintained over the longer term. Similarly, steps have been taken to “reduce the number of Māori placed under Community Treatment Orders through the Mental Health (Compulsory Assessment and Treatment) Act 1992 (Mental Health Act)”, but the action remains in progress.⁴⁸ The recent He Ara Oranga Report of the Government inquiry into Mental Health and Addiction highlighted ongoing failure of the mental health system to meet the needs of Māori⁴⁹ underscoring the need for ongoing attention to this issue.

It is difficult to assess the accuracy of actions where descriptions and outcomes are not aligned with the action. It is also difficult to reconcile the impact of these in-progress and completed actions when considering recent reports.⁵⁰ However, there is no clear evidence that government actions to address the disproportionately negative outcomes of Māori have been widely effective.

4.3.4 Indigenous peoples’ rights

There are many UPR recommendations that are relevant to Māori, the Treaty of Waitangi and indigenous rights. There are a number of associated NPA actions that are also relevant to Māori but no specific indigenous rights actions are identified in the NPA tool.⁵¹ This is in contrast with the number of actions categorised as relevant to the [human rights of Māori as a population group](#), many – if not all – of which could be categorised as actions to promote Indigenous rights.

The gap in relation to indigenous peoples’ rights in this NPA is likely to be addressed through work being recently announced by the Minister for Māori development to develop a national action plan specifically focussed on implementing the UN Declaration on the Rights of Indigenous Peoples (“Declaration Plan”).⁵²

4.3.5 Equality and non-discrimination in the criminal justice system

The NPA online tool identifies “[Equality and non-discrimination in the criminal justice system](#)” as a particular focus of the UPR recommendations and the NPA actions.

In 2013, the Government recognized three initiatives to address Māori over-representation in the Criminal Justice System. Of the three, only one appears to be being actively developed – the Youth Crime Action Plan.⁵³ The Drivers of Crime Plan appears to have had no action since 2013 and the

⁴⁴ See He Waka Roimata report of Te Uepū Hāpai i te Ora – the Safe and Effective Justice Advisory Group: <https://www.safeandeffectivejustice.govt.nz/about-this-work/te-uepu-report/>.

⁴⁵ <https://npa.hrc.co.nz/actions/79>

⁴⁶ <https://npa.hrc.co.nz/actions/80>

⁴⁷ <https://npa.hrc.co.nz/actions/32>

⁴⁸ <https://npa.hrc.co.nz/actions/35>

⁴⁹ New Zealand Government, He Ara Oranga: Report of the Government Inquiry into Mental Health and Addiction, November 2018 at 11, 28, 39-40, 70-71

⁵⁰ For example, He Waka Roimata, Family Court Review, WT Hauora Report

⁵¹ <https://npa.hrc.co.nz/category/34>

⁵² <https://www.tpk.govt.nz/en/whakamahia/un-declaration-on-the-rights-of-indigenous-peoples;>
<https://www.beehive.govt.nz/release/government-moves-un-rights-declaration>

⁵³ Youth Crime Action Plan, <https://www.justice.govt.nz/justice-sector-policy/key-initiatives/cross-government/youth-crime-action-plan/>

Turning of the Tide strategy shows no change in the proportion of first-time offenders who are Māori – 44% of first-time youth offenders are Māori and 28% of first-time adult offenders are Māori and an increase in repeat youth and adult offenders who are Māori.⁵⁴

Nine NPA actions are aimed at addressing imprisonment of Māori and other justice system impacts on Māori. These actions are discussed earlier in this report in the section on the [human rights of Māori](#).

Issues of equality in the justice system were also raised for disabled people and transgender prisoners.⁵⁵ There was also an action related to Corrections’ Saili Matagi rehabilitation programme for male Pacific prisoners (action 52, [below](#)).

In 2018, the Minister of Justice announced a review of the Criminal Justice System – *Hapaitia te Oranga Tangata (uplifting the people’s wellbeing)*. Te Uepū, the advisory group released their first report in June 2019, *He Waka Roimata*.⁵⁶

4.3.6 Human rights of Pacific peoples

Action number	Action title	Agency	Status
33	Provide Pacific peoples with written and oral information in Pacific languages and accessible formats (e.g. easy to read) on Ministry of Health funded disability support services	Ministry of Health	Completed
52	Provide a culturally-oriented environment and programmes for Pacific prisoners to address their offending behaviour	Department of Corrections	Completed
85	Increase understanding of Pacific people in public sector policy development	Ministry for Pacific Peoples	Completed
30	Improve access to timely and effective maternity and child health services for Pacific Peoples	Ministry of Health	In progress
94	Improve educational outcomes for Pacific students by implementing the Pasifika Education Plan	Ministry of Education	In progress
83	Preserve, promote and maintain Pacific languages and cultures in New Zealand	Ministry for Pacific Peoples	In progress
84	Increase the profile of Pacific youth excellence in New Zealand	Ministry for Pacific Peoples	In progress
31	Carry out a qualitative survey to measure the health literacy of Pacific peoples in New Zealand	Ministry of Health	Removed

Twelve recommendations in the UPR and 13 actions in the NPA were categorised as relevant to Pacific peoples. Many of these related to addressing structural discrimination, including in health, education, employment and justice.⁵⁷

⁵⁴ Update on The Turning of the Tide - making a difference now and for future generations, <https://www.police.govt.nz/about-us/m%C4%81ori-and-police/turning-tide-prevention-strategy/update-turning-tide-making-difference-now>

⁵⁵ <https://npa.hrc.co.nz/category/29>

⁵⁶ He Waka Roimata, <https://www.safeandeffectivejustice.govt.nz/about-this-work/te-uepu-report/>

⁵⁷ <https://npa.hrc.co.nz/category/40> In particular, see: action 6 (Support the Judiciary in its operation of 14 Rangatahi Courts and 3 Pasifika Courts located throughout New Zealand); action 29 (Establish [Police] Commissioner’s Ethnic Focus

These actions and their reports often illustrate the complexity of reporting on economic, social and cultural rights which are progressively realised. Many actions are in progress (for example “Improve access to timely and effective maternity and child health services for Pacific Peoples”⁵⁸) or completed and ongoing (for example, “Provide Pacific peoples with written and oral information in Pacific languages and accessible formats (e.g. easy to read) on Ministry of Health funded disability support services”⁵⁹).

One initiative that reached across many areas was the launch of the Kapasa Pacific Policy Analysis tool.⁶⁰

4.3.7 Disabled people’s rights

Action number	Action title	Agency	Status
36	Develop with people with intellectual/learning disabilities, Disabled Peoples Organisations and other stakeholders a long-term plan that will address health disparities	Ministry of Health	Completed
37	Complete the demonstration of the Choice in Community Living (CiCL) programme in the Auckland and Waikato regions to provide flexible alternative to residential services	Ministry of Health	Completed
40	Evaluate the establishment of the Waikato Enabling Good Lives (EGL) demonstration	Ministry of Health	Completed
46	Develop and implement a new New Zealand Disability Strategy with reporting against an associated monitoring framework	Office for Disability Issues	In progress
47	Implement and update the Disability Action Plan 2014 – 2018 to demonstrate implementation of Article 4.3 of the CRPD	Office for Disability Issues	In progress
48	Develop a better understanding among key government agencies, Disabled People’s Organisations and key non-government organisations of the expectations of Article 12 of the CRPD and what is needed to achieve better implementation	Office for Disability Issues	In progress
38	Extend the ‘Enhanced Individualised Funding’ scheme to allow people to purchase a flexible range of support	Ministry of Health	Removed
39	Evaluate the Christchurch Enabling Good Lives (EGL) demonstration	Ministry of Health	Removed

Seventeen of the 100 NPA actions were categorised as particularly relevant to disabled people. The table above shows 8 of those. Others are listed in sections on international human rights framework,⁶¹ Canterbury earthquake recovery,⁶² Pacific peoples’ human rights,⁶³ human rights of

forum); action 32 (Reduce the risk of rheumatic fever in Māori and Pacific children and families); action 96 (Supporting the provision of a curriculum that actively values diversity); and action 97 (Supporting schools to address bullying)

⁵⁸ <https://npa.hrc.co.nz/actions/30>

⁵⁹ <https://npa.hrc.co.nz/actions/33>

⁶⁰ <https://npa.hrc.co.nz/actions/85>

⁶¹ Action 9: Consider acceding to the Optional Protocol to the United Nations Convention on the Rights of People [sic] with Disabilities (completed)

⁶² Action 27: Conduct accessibility audits at key stages of each anchor project (in progress)

⁶³ Action 33: Provide Pacific peoples with written and oral information in Pacific languages and accessible formats (e.g. easy to read) on Ministry of Health funded disability support services (completed)

Māori,⁶⁴ and children’s rights.⁶⁵ This shows the intersectionality of the work required to progress the rights of disabled people.

Inclusive education was a focus of three actions which feature in the [education section](#) of this report. The actions sought to address bullying, to create a curriculum that better values diversity, and to improve provision of education that works for disabled children.⁶⁶ Those actions are all “in progress” and inclusive education remains a significant issue.

The Ministry of Health’s Enabling Good Lives and the Systems Transformation programme were provided as government actions under this NPA to broaden the range of services, and better cater for, the needs of disabled people. However, the accessibility and availability of social services for disabled people also remains a concern.

4.3.8 Women’s rights

Action number	Action title	Agency	Status
60	Monitor the gender pay gap which compares the median hourly earnings of women and men in full and part-time work	Ministry for Women	In progress
61	Nominate appointments to state sector boards and committees and to support women in developing their governance careers	Ministry for Women	Completed
62	Analyse detailed data from State Services Commission on women’s representation in public service leadership	Ministry for Women	Completed
63	Support more women and girls in education and training	Ministry for Women	Completed
64	Utilise women's skills in economic growth	Ministry for Women	Completed
65	Connect emerging women leaders to the support and information they need to realise their leadership potential	Ministry for Women	Completed

Most of the 14 [NPA actions linked to women’s rights](#) relate to employment (the six actions in the table above) or violence against women (see also this report’s section on [violence and abuse](#)).⁶⁷ Six of the seven actions related to gender-based violence are marked as completed,⁶⁸ with development of a “whole-of-government strategy to reduce family violence and sexual violence within New Zealand” still in progress.⁶⁹ The 14 actions together do not provide a comprehensive response to the human rights issues women face in New Zealand.

⁶⁴ Action 79: Enhance Māori cultural competence in the disability services (completed) and action 35: Reduce the number of Māori placed under Community Treatment Orders through the Mental Health (Compulsory Assessment and Treatment) Act 1992 (Mental Health Act) (in progress)

⁶⁵ Action 34: Establish School Based Health Services to improve mental health and wellbeing of young people (completed).

⁶⁶ Action 97: Supporting schools to address bullying (in progress);
action 96: Supporting the provision of a curriculum that actively values diversity (in progress);
action 95: Improve educational outcomes for students with special needs by implementing Success for All – Every School, Every Child (in progress)

⁶⁷ <https://npa.hrc.co.nz/category/38>. The one action that does not relate to employment or violence and abuse is action 30: “Improve access to timely and effective maternity and child health services for Pacific Peoples”

⁶⁸ A national home safety service (<https://npa.hrc.co.nz/actions/15>); Actions 15-19, 41 and 81

⁶⁹ <https://npa.hrc.co.nz/actions/41>

4.3.9 Employment rights

Six of the seven actions relating to employment rights in the NPA related to improving employment rights for women.⁷⁰ Five of those six actions were reported to have been completed by the Ministry for Women, the government agency responsible for administration of these actions.

Most of these actions were designed to be ongoing with a broad focus on addressing the challenges faced by women in the employment setting. Actions 63-65 focus on structural or systemic change for women in employment. These actions are less targeted in their approach but are longer-term in their aims to support more women and girls in education, utilising women’s skills in economic growth and connecting emerging women leaders with the support they need to realise their leadership potential.

Other actions were designed to incentivise and instruct the collection of data and information related to women in employment. This included the one “in progress” action, of monitoring the gender pay gap (action 60), where data collected by Statistics New Zealand is released on an annual basis, and a complete action for analysis of State Services Commission data on women in public service leadership (action 62).

The seventh action was to “Implement legislative requirements of the Vulnerable Children Act 2014 to ensure the children’s workforce is safe and identifying vulnerable children” which, is also linked to [children’s rights](#).⁷¹

4.3.10 Children’s rights

Action number	Action title	Agency	Status
11	Finalise the voluntary child impact best practice guideline for use in policy and legislation, test with relevant agencies, and first begin using within the Ministry of Social Development	Ministry of Social Development	Completed
34	Establish School Based Health Services to improve mental health and wellbeing of young people	Ministry of Health	Completed
101	Implement legislative requirements of the Vulnerable Children Act 2014 to ensure the children’s workforce is safe and identifying vulnerable children	Children’s Action Plan Directorate	Completed
102	Improve the way Government and non-government organisations work together for vulnerable children	Children’s Action Plan Directorate	Completed
103	Increase referrals to Children’s Teams	Children’s Action Plan Directorate	Completed
104	Extend coverage of Children’s Teams	Children’s Action Plan Directorate	Completed
105	Develop Children’s Team workforce	Children’s Action Plan Directorate	Completed
100	Establish and support new Children’s Teams	Children’s Action Plan Directorate	Removed

Significant progress has been made in the children’s rights area during the course of the current NPA, although much action is still required. Children’s rights have been a high priority area of activity

⁷⁰ <https://npa.hrc.co.nz/category/32>

⁷¹ <https://npa.hrc.co.nz/actions/101>

during the course of the NPA, and the actions recorded on the online tool have not fully kept pace with movement in the area.

There are 23 actions in the NPA categorised as relevant to children.

A systemic action which can be expected to contribute to the promotion of children’s rights throughout government policy-making is reflected in [action 11](#) on the table above – relating to the development of the [child impact assessment tool](#) for policy makers.

An important area that is still in progress is the action to “consider the implications of signing and ratifying the Optional Protocol to the Convention on the Rights of the Child-Individual Communications”, discussed in this report in the section on the [International human rights framework](#).

Six of the 23 actions (actions 100-105 on the table above) were linked to the Children’s Action Plan Directorate, which no longer operates in that form. They were all reported as completed, and one was later marked as superseded, because of the progress in this area:⁷²

“The new Child Poverty Reduction [Act] requires the government to adopt, publish, and regularly review a strategy for improving the wellbeing of children in New Zealand. The Strategy sets out the outcomes, policies, and measurements to improve the wellbeing of children in New Zealand. The Bill also requires Chief Executives of Children’s Agencies to develop an Oranga Tamariki Action Plan. The Plan must set out the steps that Chief Executives of Children’s Agencies will take to achieve the outcomes in the Strategy for the core groups of children and young people of interest to Oranga Tamariki.”

Several of the actions linked to children’s rights in the NPA may be expected to benefit children but are not targeted particularly at children. This includes six family violence prevention and response actions,⁷³ and the action to evaluate the Waikato Enabling Good Lives demonstration, as part of a pilot approach to disability services.⁷⁴

Recommendations in other areas are also relevant to children. Most (five of seven) of the [education actions](#) in the NPA are directed at children, and particularly at children currently at risk of not being effectively included in positive educational outcomes. There is also an action to continue and expand healthy relationships education in schools (action 45, included in the section on [Violence, abuse and neglect](#)), and two health actions (action 34 – school-based youth health services – in the table above; and action 32 on combatting rheumatic fever in Māori and Pacific children, in the section on [Human rights of Māori](#)).

The prevalence of actions for children throughout different human rights areas is likely to remain as the government develops a cross-government child well-being strategy.

4.3.11 Rights of refugee-background people, recent migrants, and asylum seekers

Action number	Action title	Agency	Status
21	Pass the Immigration Amendment Bill (No.2) to address gaps in the compliance regime and introduce measures to address the exploitation of migrant workers	Ministry of Business, Innovation and Employment	Completed

⁷² <https://npa.hrc.co.nz/actions/100>

⁷³ Actions 15-19, and 41, all included in the section on [Violence, abuse and neglect](#)

⁷⁴ <https://npa.hrc.co.nz/actions/40>

42	Evaluate the outcomes for quota refugees from the six-week Reception Programme and initial settlement	Ministry of Business, Innovation and Employment	Completed
29	Establish [Police] Commissioner's Ethnic Focus Forum	Police	Completed
20	Revise the New Zealand Plan of Action to Prevent People Trafficking once the Organised Crime and Anti-Corruption Legislation Bill is passed	Ministry of Business, Innovation and Employment	In progress
22	Increase efforts to investigate and bring human trafficking offenders to justice	Ministry of Business, Innovation and Employment	In progress
82	Lead the whole of Government implementation of the New Zealand Migrant Settlement and Integration Strategy	Ministry of Business, Innovation and Employment	In progress

Ten actions in the NPA were categorised as related to the rights of refugee-background people, recent migrants and asylum seekers.⁷⁵

Seven of the UPR recommendations in this area related to accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The government's position is that it is not considering ratification.

The rights of migrant workers remain a concern. Both anti-trafficking actions on the NPA remain in progress. The Government has commented that the draft revised New Zealand Plan of Action to Prevent People Trafficking is expected to be out for public consultation later in 2019.⁷⁶ The scope of the plan has been expanded to include forced labour and other forms of modern slavery.⁷⁷ Meanwhile, efforts to investigate human trafficking have resulted in rare and serious trafficking and slavery charges being laid against a defendant in late 2018.⁷⁸

While there were a range of UPR recommendations made about the rights of asylum seekers, and some action has taken place in this area during the period of the NPA, no NPA actions directly addressed the rights of asylum seekers.

Action 82 – leading the whole of Government implementation of the New Zealand Migrant Settlement and Integration Strategy – is an on-going action and remains in progress.⁷⁹

In addition to the actions tabulated above, the actions categorised as relevant to [Harmonious race relations](#) are also relevant.

4.3.12 Harmonious race relations

Action number	Action title	Agency	Status
43	Facilitate Pan-ethnic conferences on issues of importance to ethnic communities and social cohesion.	Office for Ethnic Communities	Completed

⁷⁵ <https://npa.hrc.co.nz/category/43>. The actions are as shown in the table above, as well as several of the actions labelled as relevant to harmonious race relations. All actions categorised as relevant to this population groups were categorised as relevant to harmonious race relations, but the reverse is not true

⁷⁶ <https://npa.hrc.co.nz/actions/20>

⁷⁷ [Action 20](#)

⁷⁸ <https://npa.hrc.co.nz/actions/22>

⁷⁹ <https://npa.hrc.co.nz/actions/82>

99	Facilitate a leadership capability programme for ethnic community representatives and identified high potential individuals	Office for Ethnic Communities	Completed
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The Office of Ethnic Communities completed the two actions listed in the above table (facilitation of pan-ethnic conferences and a leadership capability programme) during the period of the NPA.

A further 11 actions on the NPA were also categorised as relevant to harmonious relations.⁸⁰ Six of these are listed in the table in the section above on the [rights of refugee-background people, recent migrants, and asylum seekers](#). Another three relate to promotion of the [human rights of Pacific peoples](#) and are listed in that section.⁸¹ The final two are actions with broad relevance to many human rights issues and population groups: actions to address bullying in schools and to support a curriculum that values diversity.⁸²

The Government accepted harmonious relations recommendations which do not have comprehensive actions linked to them. For example, the recommendation to “Develop a comprehensive legislative framework for addressing the problem of racial discrimination and incitement to racial hatred, as recommended by CERD” (a UPR recommendation which refers to a previous recommendation from the CERD – the UN Committee on the Elimination of all forms of Racial Discrimination).⁸³

4.3.13 Canterbury earthquake recovery

Action number	Action title	Agency	Status
24	Develop the Christchurch bus interchange	Canterbury Earthquake Recovery Authority	Completed
50	Provide free Residential Advisory Service	Ministry of Business, Innovation and Employment	Completed
53	Deliver the Housing New Zealand Corporation’s Canterbury Investment Plan	Housing New Zealand	Completed
56	Support non-government provision of social and affordable housing in Christchurch	Ministry of Business, Innovation and Employment	Completed
57	Facilitate the development of affordable housing on Crown owned and Council owned land (Awatea, inner-city and city-fringe)	Ministry of Business, Innovation and Employment	Completed

⁸⁰ <https://npa.hrc.co.nz/category/33>: actions 20-22, 29, 42, 82-85, 96 and 97

⁸¹ Actions 83-85

⁸² Actions 96 and 97, listed in the [education rights](#) section of this report

⁸³ <https://npa.hrc.co.nz/recommendations/102>

59	Provide the Canterbury Earthquake Temporary Accommodation Service to affected residents of Christchurch	Ministry of Social Development/ Ministry of Business, Innovation and Employment	Completed
23	Repair Christchurch's horizontal infrastructure networks	Canterbury Earthquake Recovery Authority	In progress
27	Conduct accessibility audits at key stages of each anchor projects	Canterbury Earthquake Recovery Authority	In progress
49	Support land use recovery to provide for an anticipated 40,000 new households in both greenfield and brownfield intensification areas through the Land Use Recovery Plan	Canterbury Earthquake Recovery Authority	In progress
58	Increase the immediate and longer-term supply and affordability of housing in Christchurch	Ministry of Business, Innovation and Employment	In progress
86	Repair and reconfigure Housing New Zealand Corporation's Canterbury portfolio	Ministry of Business, Innovation and Employment	In progress
25	Coordinate the decision-making process on the future use of Residential Red Zone land	Canterbury Earthquake Recovery Authority	In progress

The 2014-2019 NPA online tool included 12 actions linked to both the human rights issue “Canterbury earthquake recovery”⁸⁴ and the population group “People of Canterbury”⁸⁵. These actions and categories were a response to the scale and concentration of human rights issues related to the government response to the 2010 and 2011 Canterbury earthquakes.

More than seven years on, Canterbury continues to recover from the quakes. Completed NPA actions that contributed to the recovery included the provision of a free Residential Advisory Service (action 50) for property owners, developing the Christchurch bus interchange (action 24), and a range of housing actions (actions 53, 56, 57, 59). Other actions still in progress relate to roading and water infrastructure repair (action 23 – reported to be complete end of June 2019), and red zone use decision-making (action 25), as well as other housing actions (actions 49, 58 and 86).

⁸⁴ Canterbury earthquake recovery: <https://npa.hrc.co.nz/category/35>

⁸⁵ People of Canterbury: <https://npa.hrc.co.nz/category/45>

The actions on the NPA online tool have not all kept up with developments in the recovery. Many actions are still nominally allocated to the now disestablished Canterbury Earthquake Recovery Authority (CERA).⁸⁶ The most recent updates on those actions was provided in September 2018 by the Department of the Prime Minister and Cabinet. Other initiatives that may address recommendations have not been captured in the National Plan of Action, for example the Canterbury Earthquakes Insurance Tribunal⁸⁷ launched in June 2019, in partial fulfilment of the ICESCR recommendation relating to processing outstanding claims and implementing recommendations of the Human Rights Commission “Staying in the red zones” report.⁸⁸

4.3.14 Education

Action number	Action title	Agency	Status
95	Improve educational outcomes for students with special needs by implementing Success for All – Every School, Every Child	Ministry of Education	In progress
96	Supporting the provision of a curriculum that actively values diversity	Ministry of Education	In progress
97	Supporting schools to address bullying	Ministry of Education	In progress

The seven actions in the NPA relating to education link to a broad range of recommendations, mostly addressed at improving outcomes for groups of children currently under-served by the education system.⁸⁹ Actions 96 and 97 in the table above intend to address diversity and inclusion generally.

One action relates particularly to education outcomes for Māori students, and the Government has reported on refreshing Ka Hikitia (Māori Education Strategy) and Tau Mai Te Reo (Māori Language in Education Strategy).⁹⁰

Two actions relate to Pacific students and are included in the [Pacific Peoples](#) section of this report.⁹¹

The one education action which relates to people of all ages is the ongoing action to “Preserve, promote and maintain Pacific languages and cultures in New Zealand” also included in the [Pacific Peoples](#) section of this report.⁹²

Action 95 (in the table above) focuses on educational outcomes for disabled children. The language in this action is no longer current, and the work has also progressed beyond what is described in the action.

Although some of the specifics of other education actions have also been superseded, all education actions show as “In progress”.

The Commission notes that comprehensive reform of the education sector is currently underway.

⁸⁶ CERA: <https://npa.hrc.co.nz/category/57>

⁸⁷ <https://www.justice.govt.nz/tribunals/canterbury-earthquakes-insurance/>

⁸⁸ ICESCR recommendation on NPA: <https://npa.hrc.co.nz/recommendations/504>

⁸⁹ <https://npa.hrc.co.nz/category/30>

⁹⁰ Action 93: <https://npa.hrc.co.nz/actions/93>

⁹¹ Actions 84 and 94

⁹² <https://npa.hrc.co.nz/actions/83>

4.3.15 Health

The NPA includes 13 actions categorised as relevant to the right to health.⁹³ They are the same 13 actions allocated to the Ministry of Health as the responsible agency.⁹⁴

All of the actions were population-specific, relating to measures to improve the health of Pacific peoples, children, women, Māori, and disabled people. They have been included in tables in this report related to other human rights areas.

Many actions were quite specific - for example, evaluating Enabling Good Lives demonstrations in Waikato and Christchurch (actions 39 and 40).

Two actions related to data collection (about Māori and Pacific health).⁹⁵

One health action with a broader scope intersects with the Disability Action Plan action. That is action 36 – Develop with people with intellectual/learning disabilities, Disabled Peoples Organisations and other stakeholders a long-term plan that will address health disparities.

4.3.16 Violence, abuse and neglect

Action number	Action title	Agency	Status
15	Establish a national home safety service to provide target hardening measures to support victims in their homes	Ministry of Justice	Completed
16	Implement new trials to improve timeliness of family violence prosecutions	Ministry of Justice	Completed
17	Implement Integrated Safety Response Pilot to address family violence	Ministry of Justice	Completed
18	Establish the role of Chief Advisor on Victims	Ministry of Justice	Completed
19	Review of family violence legislation	Ministry of Justice	Completed
41	Develop a whole-of-government strategy to reduce family violence and sexual violence within New Zealand	Ministry of Social Development & Justice	In progress
44	Improve access and service offerings for people affected by sexual abuse	Accident Compensation Corporation	Completed
45	Implement and extend the reach of healthy relationships education in schools via delivery of 'Mates & Dates'	Accident Compensation Corporation	Completed
75	Develop and implement a Police Family Violence internal change programme	Police	Completed
78	Publish the Recorded Crime Victim Statistics	Police	Completed
77	Family violence summary report for judiciary bail decisions	Ministry of Justice & Police	In progress
76	Improve the Multi Agency Response System (MARS)	Police	Removed

⁹³ <https://npa.hrc.co.nz/category/31> – Actions 30-40, 79 and 80

⁹⁴ <https://npa.hrc.co.nz/category/59>

⁹⁵ Action 80 – “monitor Māori health progress” (in progress) – and action 31 – “Carry out a qualitative survey to measure the health literacy of Pacific peoples in New Zealand” (removed).

Almost one quarter – 23 of 100 – actions in the NPA were categorised as addressing violence, abuse and neglect. The table above shows a range of actions to address family violence risk and to prevent and respond to sexual violence.

In addition to those listed in the table above:

- The Ministry of Social Development E Tū Whānau programme was the focus of five different completed actions.⁹⁶
- Another group of completed actions related to the Children’s Action Plan and the related Children’s Teams.⁹⁷
- Ministry for Women reported on an action to “Work across government and with communities to strengthen primary prevention initiatives that keep Māori women safe from becoming victims of intimate partner and sexual violence”.⁹⁸

Additionally, the key overarching in-progress action in this area is to “Develop a whole-of-government strategy to reduce family violence and sexual violence within New Zealand”.⁹⁹ Although no strategy is currently in place, significant progress has taken place during the course of this NPA.

⁹⁶ Actions 70-74

⁹⁷ Actions 100, 102-106

⁹⁸ Action 81

⁹⁹ Action 41