



Human Rights
Commission
Te Kāhui Tika Tangata

Annual Report Pūrongo ā Tau

2014 / 15

Human Rights Commission
Te Kāhui Tika Tangata

The Office of Human Rights Proceedings
Te Tari Whakatau Take Tika Tangata





Report of the

Human Rights Commission **Te Kāhui Tika Tangata**

And

The Office of Human Rights Proceedings **Te Tari Whakatau Take Tika Tangata**

For the year ended 30 June 2015

Presented to the House of Representatives pursuant
to section 150 of the Crown Entities Act 2004

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The Hon. Amy Adams
Minister of Justice

Minister

Pursuant to section 150 of the Crown Entities Act 2004, I hereby
transmit to you the Annual Report of the Human Rights Commission
for the year ended 30 June 2015.

Yours faithfully

A handwritten signature in black ink, appearing to read 'D. Rutherford'.

David Rutherford
Chief Commissioner
Te Amokapua

The Hon. Amy Adams
Minister of Justice

Minister

Pursuant to section 92A(4) of the Human Rights Act 1993, I hereby transmit to you pages 26 to 30 of this report as the Annual Report of the Director of the Office of Human Rights Proceedings for the year ended 30 June 2015.

Yours faithfully



Robert Kee

Director of Human Rights Proceedings
Tumuaki Whakatau Take Tika Tangata



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Foreword

Wāhinga kōrero

Itiiti Rearea, Kahika Teitei, Ka Taea

*Big change starts small:
the smallest bellbird
is able to climb to the
heights of the tallest
Kahika tree*

(Our Race Relations Day theme 2015)

This year we have seen significant improvements in the way we monitor our human rights performance as a nation with the online publication of New Zealand's Human Rights National Plan of Action (NPA). The NPA sets out our Government's actions in response to New Zealand's second Universal Periodic Review (UPR).

Publishing the NPA as an interactive, easily updateable, online tool is an innovative way of demonstrating how our Government is doing when it comes to improving human rights for all New Zealanders. This is about increasing government accountability through transparency. Its publication is just the beginning; the NPA is also a useful tool for government agencies and civil society for reporting, monitoring and advocacy. The NPA will be used as the basis of the mid-point UPR review and will include actions in response to future United Nations Treaty Body reviews of our Government's human rights performance. Internationally, the way the Commission has linked the publication of the NPA to the conclusion of the UPR cycle is a world first. It has created significant overseas interest as a new way to monitor government actions in response to UPR recommendations they have accepted.

The Commission continued to implement its communications and engagement strategy by using data visualisation to make our reports more accessible. Our web-based monitoring and reporting tool, Tracking Equality at Work (TEW) was published online, and the Crown Entities Good Employer online report used data visualisation for the second time. The Good Employer report, TEW, and NPA all contribute to the Commission building an evidence based, comprehensive picture of human rights progress that's accessible and easy to understand. We also launched a refreshed, easy to navigate website that provides an engaging platform for our tracking and reporting tools. It integrates all of our digital content (website, newsletter, social media, video) showcasing the Commission's human rights work across many platforms.

In the face of an unprecedented number of displaced people in the world, this year's Race Relations Day saw the Commission call on our Government to increase New Zealand's refugee quota for the first time in 27 years. Governor-General Sir Jerry Mateparae hosted a Race Relations Day celebration at Government House in Auckland for migrant and refugee youth and their families.

The Commission continued its work co-ordinating the Independent Monitoring Mechanism for the Convention on the Rights of Persons with Disabilities (CRPD).

The Disability Commissioner has worked with partners to improve the rights of disabled people, with a particular focus on the inclusion in schools of disabled students, the rights of disabled people to make their own decisions (with support), and ending long-term seclusion practices in health facilities.

The Commission continued to advocate for respect for human rights across a wide range of issues, including race relations; counter terrorism;

surveillance and other political and civil rights concerns; and the human right to participation, property, adequate housing and health in the Canterbury Earthquake Recovery.

Violence and abuse in our communities, particularly family and sexual violence and bullying in schools, is a major human rights issue facing thousands of New Zealanders and we are continuing to advocate for positive change across a range of initiatives. We also continued to advocate for full realisation of the rights of Gay, Lesbian, Bisexual, Transsexual and Intersex New Zealanders.

The Commission attended the sixth review by the United Nations Committee against Torture of New Zealand's performance of its obligations under the Convention against Torture. This year the United Nations examined New Zealand's performance under the CRPD for the first time. The Commission also continued our work on the United Nations Declaration on the Rights of Indigenous Peoples.

The past financial year saw the Commission complete a major restructuring, and despite the challenges of working through a number of organisational changes the Commission's people have continued to perform well and achieve challenging targets. Our sincere thanks to everyone in the organisation for their continued commitment. During this year we farewelled Executive Director Joanna Collinge and welcomed a new Chief Executive, Cynthia Brophy.

Meanwhile, the Human Rights Amendment Bill completed its first and second reading in Parliament and has now moved into committee.

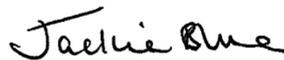
Na mātou noa nā



David Rutherford
Chief Commissioner
Te Amokapua



Dame Susan Devoy
Race Relations Commissioner
Kaihautū Whakawhanaunga a Iwi



Dr Jackie Blue
**Equal Employment
Opportunities Commissioner**
Kaihautū Ōritenga Mahi



Paul Gibson
Disability Rights Commissioner
Kaihautū Tika Hauātanga



Karen Johansen
Commissioner
Kaihautū



Richard Tankersley
Commissioner
Kaihautū

What the Commission is and what it does

Ko wai mātou, ā, he aha tā mātou mahi?

The Human Rights Commission (the Commission) is an independent Crown entity. The Board of the Commission determines the strategic direction and general activities of the Commission consistent with the Human Rights Act 1993 and Crown Entities Act 2004.

Nature and Scope of the Commission's Functions

The Commission has an A-status accreditation as a National Human Rights Institution with the International Coordinating Committee of National Institutions for the Protection of Human Rights. This status is the highest recognition of the independence a national human rights institution can achieve and provides the right to speak at the United Nations.

The Office of Human Rights Proceedings (OHRP) is part of the Commission and the Director independently makes decisions to provide legal representation under the Human Rights Act 1993, and to bring proceedings under the Privacy Act 1993.

The Commission's primary functions, as set out in the Human Rights Act 1993, are to: (1) advocate and promote respect for, and an understanding and appreciation of, human rights in New Zealand society; and (2) encourage the maintenance and development of harmonious relations between individuals and among the diverse groups in New Zealand society.

Section 5(2) of the Human Rights Act 1993 lists the detailed functions of the Commission:

- a advocate for human rights and to promote and protect through education programmes and publicity, respect for, and observance of human rights
- b encourage and co-ordinate human rights programmes and activities
- c make public statements on issues affecting human rights
- d promote understanding of the human rights dimensions of the Treaty of Waitangi through research, education programmes, and discussion
- e prepare and publish guidelines and voluntary codes of practice to help people meet their legal obligations to respect and protect human rights
- f receive and invite representations from members of the public on any matters affecting human rights
- g consult and co-operate with other organisations concerned with the protection of human rights
- h inquire into infringements, either in law or practice, of human rights
- i bring legal proceedings and intervene in court proceedings on human rights matters
- j report to the Prime Minister on (1) the need for new legislation, regulations or policy to better protect human rights; (2) the desirability of New Zealand ratifying further international human rights conventions or norms; and (3) the implication of any proposed legislation that may affect human rights
- k develop a national plan of action for the promotion and protection of human rights

Important human rights principles are enshrined in New Zealand's constitutional arrangements or legislation, including the:

- 1 Treaty of Waitangi 1840
- 2 New Zealand Bill of Rights Act 1990
- 3 Human Rights Act 1993

Moreover, as a member of the United Nations, New Zealand supports the human rights provisions of the United Nations Charter and the Universal Declaration of Human Rights 1948.

New Zealand is also a party to or supports a number of international human rights instruments, including the:

- 1 International Covenant on Civil and Political Rights (ICCPR)
- 2 International Covenant on Economic, Social and Cultural Rights (ICESCR)
- 3 International Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- 4 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- 5 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- 6 Convention on the Rights of the Child (CRC)
- 7 Convention on the Rights of Persons with Disabilities (CRPD)
- 8 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

New Zealand's core international human rights law obligations are set out in these instruments and obligations. They require that the State respect, protect and fulfil the human rights of individuals within New Zealand. These requirements include the duty to protect against human rights abuse by third parties, including business enterprises. A number of these instruments also impose obligations on New Zealand to regularly report on their implementation.

The Commission also has functions to facilitate the resolution of disputes involving unlawful discrimination in the most efficient, informal, and cost-effective manner possible. The Commission has no adjudicative or judicial function. Those functions are carried out by the Human Rights Tribunal and the courts.

Governance, Strategic Leadership and Management

The Commission is governed by a Board made up of all the Commissioners, chaired by the Chief Commissioner. The Board determines the strategic direction and general nature of the Commission's activities. In addition to their governance role, all Commissioners act as strategic leaders in areas designated by the Human Rights Act 1993 or by allocation of spheres of responsibility by the Chief Commissioner (in consultation with the Minister). Commissioners engage in the general activities of the Commission (excepting those set out in section 76 of the Human Rights Act 1993) as determined by the Chief Commissioner (in consultation with the Minister). The roles of Race Relations Commissioner and Equal Employment Opportunities Commissioner are designated under the Human Rights Act 1993.

The following are the statutory designations (denoted by an *) and spheres of responsibility for Commissioners allocated by the Chief Commissioner for 2014–15. The Chief Commissioner also designates which general activities of the Commission the Commissioners will work on.

Commissioners	Spheres of responsibility 2014–15	Population group/s
David Rutherford (Full-time)	Chief Commissioner* Thematic human rights areas: 1 Education 2 Human rights mainstreaming 3 Civil and political rights 4 Business and human rights 5 Treaty of Waitangi (jointly with Karen Johansen)	Rural people
Dame Susan Devoy (Full-time)	Race relations* Thematic human rights areas: 1 Housing, health and community	Ethnic minority, migrant and culturally and linguistically diverse communities Children and young people Refugees and asylum seekers
Dr Jackie Blue (Full-time)	Equal employment opportunities* Thematic human rights areas: 1 Work	Women
Paul Gibson (0.8 full-time equivalent)	Thematic human rights areas: 1 Disability rights 2 Violence and abuse	Disabled people Older people
Karen Johansen (0.3 full-time equivalent)	Thematic human rights areas: 1 Māori and indigenous rights 2 Treaty of Waitangi (jointly with David Rutherford)	Māori and Indigenous peoples
Richard Tankersley (0.3 full-time equivalent)	Thematic human rights areas: 1 Religion and belief, interfaith activities and religious diversity 2 Sexual orientation and gender identity	Religious and interfaith communities Gay, Lesbian, Bisexual, Transgender and Intersex people

* Statutory designations

Goals and Strategic Impacts 2014–15

New allocations and designations were made for the new financial year. These can be found on the Commission's website (www.hrc.co.nz)

The Chief Executive of the Commission manages all Commission staff except the staff of the Office of Human Rights Proceedings.

The Director of Human Rights Proceedings decides whether to provide legal representation to applicants whose complaints of unlawful discrimination have not been resolved through the Commission's dispute resolution process. The Director's functions also include bringing proceedings under the Privacy Act 1993 for interferences with privacy referred by the Privacy Commissioner. Claims of unlawful discrimination or interference with privacy are heard in the Human Rights Review Tribunal. The Director manages the staff of the Office of Human Rights Proceedings.

The Commission's goal is that "People in New Zealand live together harmoniously, sharing a common respect for each other's inherent dignity and human rights".

Our Statement of Intent and Statement of Performance Expectations 2014/15–2017/18 outlined the strategic impacts we intend to have to achieve this goal. These are:

- More people in New Zealand know and practise their rights and fulfil their responsibility to respect the human dignity and rights of others
- People and organisations that have legal obligations to respect and protect human dignity and rights do so
- Effective engagement of specific groups in decision-making affecting them and in the design of their communities
- Increased observance of procedural safeguards by decision-makers when exercising their legislative oversight and public sector management responsibilities
- Better remedies for breaches of human dignity and rights
- Development of a culture where violence and abuse is not tolerated or unreported
- Increased adoption of effective policies and practices that provide for equality of opportunity and non-discrimination

In late 2014 the Commission reviewed and refreshed its Outcomes framework to ensure it was more meaningful and aligned with our strategic objectives. The new structure provides a clear reportable framework that forms the basis for the Commission's ongoing work programme in both the short and -long term.

The following section provides a summary of some of the impacts and contributions made by the Commission in 2014/15. The key activities under each of the five outputs, and the progress made toward identified standards and performance measures, are described in detail in the *Statement of Performance* section of this report.

Impacts

More people in New Zealand know and practise their rights and fulfil their responsibility to respect the human dignity and rights of others.

People and organisations that have legal obligations to respect and protect human dignity and rights do so.

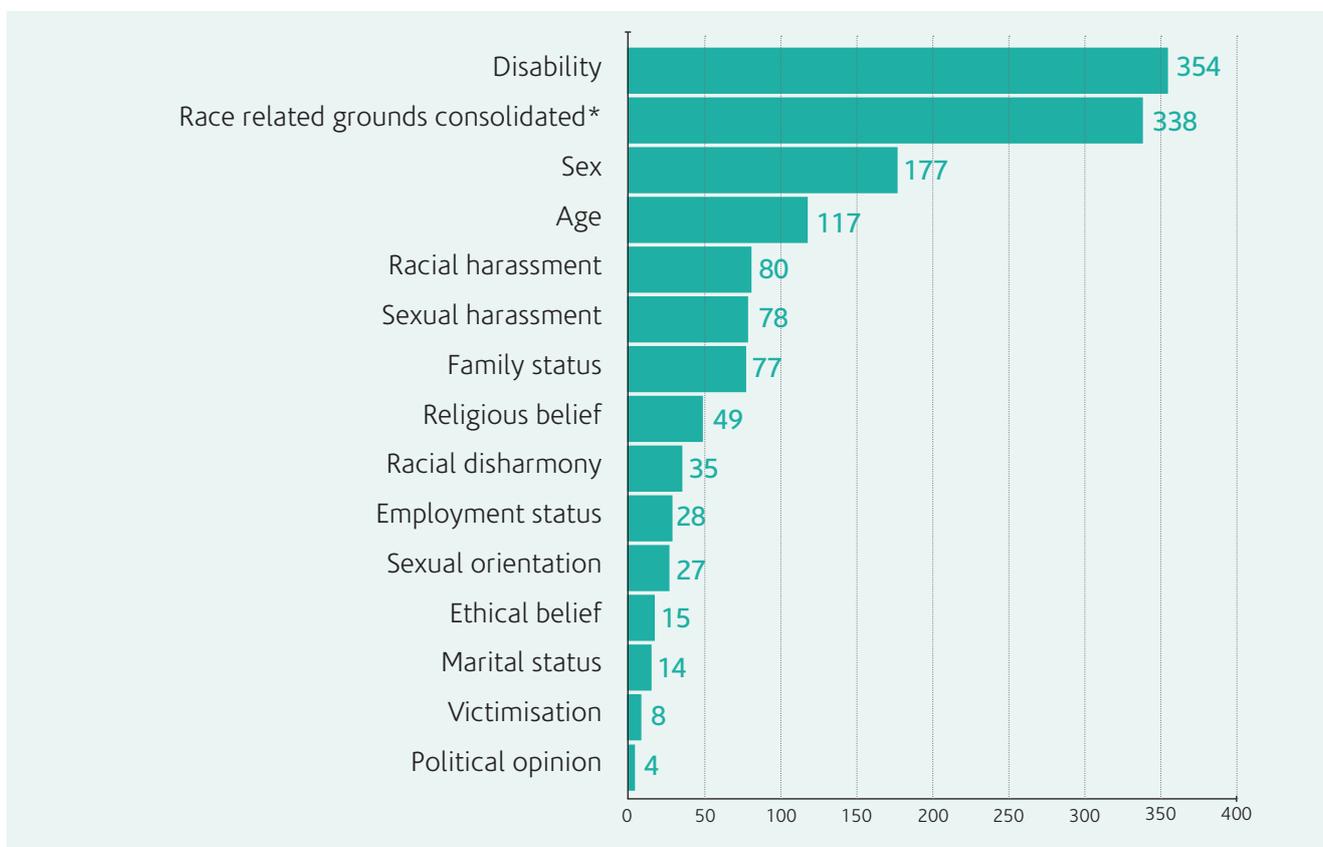
On-the-spot information about human rights and responsibilities is available to the public through the Commission's Infoline service. Infoline received 5236 new enquiries, complaints and requests for the Commission's publications. Of these, 64 per cent (3341) requested the Commission's help in resolving their human rights complaint. Twenty-eight per cent (1442) sought assistance including advice about human rights obligations, data for research, legal advice, and assistance with human rights training. Four per cent (231) registered concern about a current human rights issue. The number of people calling Infoline to register concern about human rights has fallen sharply with the advent of the Commission's social media profile. Most of the enquiries and complaints related to employment and government activity, with race most often being the reason or ground for contacting the Commission.

Skilled Infoline advisors provide a sounding board and information for both complainants and respondents, often resulting in the prevention of human rights disputes. Infoline dealt with 56 per cent of the incoming new human rights matters by talking callers through a situation, referring them to a more appropriate agency, or providing human rights information for callers to resolve the problem themselves.

The following chart shows the enquiries received by the Commission that pertained to a prohibited ground of discrimination, coupled with complaints alleging unlawful discrimination. There were 338 enquiries and complaints about a race related ground of discrimination: that is race, colour, ethnic or national origin. There were 35 enquiries and complaints about racial disharmony, and 80 to do with racial harassment. Disability is another ground with a high number of enquiries and complaints (354). Enquiries and complaints on the grounds of sex numbered 177, with 78 about sexual harassment.

For some years now, the majority of enquiries and complaints about discrimination have been in the area of employment (338). Alongside approaches to the Commission about pre-employment discrimination, this combined area of employment accounted for 40 per cent of discrimination enquiries and complaints. Enquiries and complaints about discrimination in the area of government activity have been declining for the last four years, this year accounting for 363, or 29 per cent of discrimination enquiries and complaints.

Unlawful Discrimination Enquiries and Complaints Part 1A and Part 2 (Grouped by Ground)



* Colour, race, national origin

Of the 3341 complaints requesting the Commission's help to resolve their human rights complaint, 1122 were complaints alleging unlawful discrimination under the Human Rights Act 1993. Issues of unlawful discrimination fall into two categories: the public sector (Part 1A of the Human Rights Act 1993), with 31 per cent of enquiries and complaints, and the private sector (Part 2 of the Human Rights Act 1993), with 69 per cent.

Enquiries and complaints under Part 1A of the Human Rights Act 1993 (which deals with discrimination by government and bodies acting with legal authority) can be complex.

This year 408 Part 1A enquiries and complaints were received, compared with 443 last year. Part 1A complaints of unlawful discrimination often address the test of section 5 – justifiable limitation, or section 19(2) – special measures of the Bill of Rights Act 1990. In some cases, differential treatment may not be unlawful if it can be justified for the public good, or is needed to enable a particular group of people to achieve equality with others. The lawfulness of student loans being restricted by age (loans are not available to people over 55) and the provision of hospital funded transport assistance for certain Māori, Pacific and Quintile 5 patients was queried this year.

If complainants are not satisfied with the government agency response through the mediation service, they may take the matter to the Human Rights Review Tribunal.

Under Part 1A, disability was the issue most complained about, with 156 enquiries and complaints this year (189 last year). As with last year, a significant number of Part 1A complaints involved issues relating to schools, including the need to accommodate children with disabilities. The teaching of religion in schools attracted a number of enquiries and complaints this year. Complaints about public transport and provision for an 'other' sex category on official forms were also received. The mediation process provides the opportunity for complainants to both understand complex government policy and actively engage in the development of policy that affects them. At the same time, mediation enables policy makers to understand the impact their policies have on the people who are affected by them.

There were 837 new enquiries and complaints under Part 2 of the Human Rights Act this year, compared with 1084 last year. Under Part 2 of the Human Rights Act 1993 race-related complaints; that is, race, colour, national origin discrimination and racial harassment are again the grounds most complained about. Race figured in half of all discrimination complaints about the provision of goods and services and in a third of all employment and pre-employment complaints. The treatment that leads to a race discrimination complaint is not usually overt in the same way as, for example, sex or disability discrimination.

Unlawful Discrimination Enquiries and Complaints Part1A and Part 2 (Grouped by Area)



Racial harassment at work is sometimes not recognised as such by work colleagues, and while being treated differently from other customers is keenly felt by the recipient, is not as easily conveyed as discrimination. Resolution of these complaints is more likely to be through discussion with the mediator on how to self-advocate and manage the situation, or the mediator informing the respondent of the issues and the matter being resolved by that action.

Resolution of disability complaints in employment focus on accommodating disability at work after an illness or accident or, prominently, after disclosure of a mental health condition. Sex and sexual harassment in employment continue to be represented in a large number of complaints.

During 2014/15 the Commission responded to 237 requests for education, policy, advocacy and development interventions. Activity included workshops on a range of subjects to schools/universities, government, civil society, communities and agencies. The workshops involved providing these groups with information, contributing on expert panels, facilitating resolution on broader human rights matters, and providing policy advice. Thirty individuals were followed up at least three months after the 'intervention' for feedback. Of this group, 93 per cent of respondents said that the Commission met or exceeded their expectations.

The Taku Manawa human rights community development programme was wound up with the final group of disabled people launching a DVD on disability identity. This three and a half year programme developed individual, agency, and community capability to identify those human rights issues that had an impact on them and to develop strategies to address them.

The theme of the 10th New Zealand Diversity Forum, held this year in Christchurch, was 'Migrant and Refugee Employment: Valuing Diversity'. The Forum presented an opportunity for the 370 participants, including migrant and refugee groups, employers, employees, local and central government, business, agencies, and local iwi to discuss local and national issues around migrant workers. Forum partners were New Zealand Police, National Commission for UNESCO, Christchurch City Council, Ministry of Business, Innovation and Employment (MBIE), Bank of New Zealand, and AIA Insurance. Special guest was Priscilla Brice, founder of All Together Now, who presented on bystander racism in Australia and introduced an 'Everyday Anti Racism' app. His Excellency, Lt Gen The Rt Hon Sir Jerry Mateparae, GNZM, QSO, Governor-General of New Zealand, and Race Relations Commissioner Dame Susan Devoy presented Diversity Awards to 12 organisations selected from over 250 that participate in the New Zealand Diversity Action Programme.

As a result of the forum, human rights issues for migrant workers were profiled with government, business and civil society and through media coverage. Business leaders met with migrant focused organisations to discuss the models and strategies they have put in place to ensure migrant

workers are supported and treated with respect. A Workers Charter in the Canterbury Region was proposed with an objective of protecting local and migrant workers, and business leaders at the Forum strongly advocated for the adoption of practical steps to maximise the benefits of cultural diversity to increase their performance.

Social media statistics reported that the 'Tweet Wall' reached 35,000 people, and turned up in 80,000 timelines. Facebook reached 5000 people, and attracted 55 new 'fans', while Instagram attracted 31 new 'fans'.

Race Relations Day (RRD) is a key event in the Commission's race relations work programme. During February, March, and culminating in the Race Unity Speeches in April, individuals, organisations, and communities celebrated, discussed, and promoted cultural diversity. In doing so they promoted positive race relations. The theme for RRD this year was 'Big Change Starts Small', created by a young Vietnamese Kiwi who won last year's Race Unity Speech Competition. RRD activities and events took place across the country, including the Nationhood to Neighbourhood Garden Party hosted by His Excellency, Lt Gen The Rt Hon Sir Jerry Mateparae, GNZM, QSO, Governor-General of New Zealand.

Media statements and appearances by Race Relations Commissioner Dame Susan Devoy highlighted the call for New Zealand to accept more refugees. This generated nationwide discussion. Other organisations supported the call, and the Minister of Immigration publicly announced he would be open to discussing the matter.

Terrorist activities overseas (eg Charlie Hebdo) and subsequent anti-terrorist and surveillance measures proposed by the Government raised concerns about marginalisation and targeting of local Muslim communities. The Prime Minister agreed to meet with the Federation of Islamic Associations of New Zealand to discuss the issue.

Effective engagement of specific groups in decision-making affecting them and in the design of their communities.

Increased observance of procedural safeguards by decision-makers when exercising their legislative oversight and public sector management responsibilities.

Better remedies for breaches of human dignity and rights.

The Canterbury Earthquake Recovery project has worked consistently with community and civil society organisations, local government, national government and business to ensure that people who are impacted by the recovery process participate in decision-making. Through this project the Commission has:

- followed up with key agencies on their responses to the recommendations of its monitoring report, *Monitoring Human Rights in the Canterbury Earthquake Recovery*

- developed and distributed a flyer on the human right to adequate housing in New Zealand based on the United Nations seven standards that must be met for housing to be adequate
- worked in partnership with New Zealand Red Cross to undertake research on the experiences of people living in the residential red zone
- begun gathering evidence relating to the prioritisation of vulnerable claims by insurers and EQC
- provided a submission on the Christchurch City Council Long Term Plan and provided feedback on the Environment Canterbury governance model, as well as having input into the Canterbury Earthquake Recovery Authority (CERA) preliminary red zone recovery plan

As a result of these activities:

- Chief Executives of CERA, the Ministry of Social Development, Christchurch City Council and MBIE have reported against the Canterbury Earthquake Report Recommendations
- The CERA *Community in Mind* psychosocial recovery strategy incorporates feedback from the Commission
- The EQC Customer Interaction Report considered human rights issues identified as part of the Commission report into the Canterbury Earthquakes

The Commission contributed as a coalition partner to Caring Counts Coalition, which advocates for equal pay for workers in the aged care sector. Recommendations from the inquiry into the aged care workforce, *Caring Counts*, have been included in the long-term health workforce strategy draft actions. The 'In Between Travel' arrangement for care workers has been agreed, is national and fully funded. Carers will receive interim payments from 1 July 2015.

During 2014/15 the Commission facilitated the development of New Zealand's National Plan of Action 2015–2019 (NPA), which sets out the actions the Government is taking as a result of the commitments it made through its second Universal Periodic Review (UPR) before the United Nations Human Rights Council in 2014.

The NPA has been developed as an online tool that will progressively make explicit what government is doing to address human rights in New Zealand by tracking progress on implementing recommendations from the UPR. It will also enable all New Zealanders to understand, examine and monitor this progress. The extent to which New Zealand has made progress against these commitments will be reviewed by the United Nations Human Rights Council in 2019. Civil society (including affected sector groups, business and iwi) and government were involved in the development of the NPA.

During 2014/15 the Commission worked with the Iwi Leaders Forum on the development and implementation of an autonomous Independent Monitoring Mechanism (IMM) for the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The Iwi Leaders Forum's UNDRIP IMM was presented to the United Nations Expert Mechanism on the Rights of Indigenous Peoples in Geneva in July 2015.

In the 2014/15 year, the Commission achieved 90 outcomes that delivered systemic change for human rights. For example:

- within the tourism industry, some companies will be involved in providing training for reservations and tour guide staff for dealing with people with a disability and from a variety of different ethnic backgrounds
- an organisation adjusted timetables and rosters to accommodate the religion of some of its employees
- an employer arranged for staff to complete an e-learning course on bullying and harassment
- a school promulgated new protocols for communication with parents of children with a disability
- an agency made provision for 'other' alongside male and female on its forms
- an employer changed its recruitment practices to ensure decisions are based on skill needs rather than personal attributes
- the removal of racially offensive commentary and sexist advertising from internet sites was also achieved for some complaints

The 2014/15 year also saw some significant international progress towards improved human rights. The New Zealand Government has supported the increasing influence of National Human Rights Institution's (NHRIs) in the UN human rights reporting process. It is now possible for NHRIs like the Commission to make statements in the UN Human Rights Council.

The importance of the realisation of human rights has also been recognised this year by governments, including New Zealand's, in the *Sendai Framework for Disaster Risk Reduction 2015-2030*, in the Samoa Pathway. This Framework was an outcome of the Third International Conference on Small Island Developing States and the development of the Sustainable Development Goals 2016–2030.

The increasing influence of human rights and the United Nations Guiding Principles on Business and Human Rights was also seen in the Declaration of the G7 Leaders in June 2015 and in the publication by Unilever of the first human rights report by a corporation. The importance of business as agents in upholding human rights is reflected in our increased work with business in our 2015–2018 strategic plan.

Development of a culture where violence and abuse is not tolerated or unreported.

The Commission is a member of the inter-agency collective impact Bullying Prevention Advisory Group (BPAG), which is focused on reducing bullying in New Zealand schools. It is chaired by the Secretary for Education and involves teacher unions and principals associations, education sector organisations, government agencies, online safety organisations, the Children's Commissioner, and the Commission.

A strategic plan sets out priority areas for action that will contribute towards BPAG's vision for reducing bullying in New Zealand schools. The plan draws from evidence and research to provide a basis against which to measure success. In this reporting year the group published its second version of the *Bullying Prevention Guide* with a focus on lesbian, gay, bisexual, transgender, intersex, and included interviews with disabled children and young people. Copies were distributed to each school and the Guide is available online.

Increased adoption of effective policies and practices that provide for equality of opportunity and non-discrimination.

The Commission annually reviews and analyses the reporting of good employer obligations by Crown entities in their annual reports. It also monitors their progress towards equal employment opportunities (EEO) and provides good employer guidance. The Commission's annual good employer review gives Crown entities an indicator report showing their reporting progress. The Commission's "Crown Entities and the Good Employer" web application allows Crown entities to track their progress across years and compare themselves to others of the same size, type and the sector as a whole. In this reporting year 40 of the 91 crown entities involved were fully compliant, an increase of 26 from the previous year.

The Commission has been designated by the New Zealand Government to co-ordinate the IMM for the (CRPD). The IMM also includes the Office of the Ombudsman and the Convention Coalition, which comprises a group of disabled people's organisations. The IMM has developed its terms of reference based on cabinet designation.

In September the Government appeared in Geneva before the Committee of International Experts on the Rights of Persons with Disabilities. The IMM gave input to the committee to assist in developing its concluding observations and recommendations. The Government has since responded to these recommendations, and to the two previous monitoring reports of the IMM, *Making Disability Rights Real*, released in December 2012 and August 2014. The Government has progressed work on co-designing a disability action plan with disabled people, and has accepted recommendations calling for better data collection and coordination.

The Commission is working with government and disabled peoples' organisations to include many of the recommendations in the update of the Government's Disability Action Plan. Key areas are: inclusion of disabled students in schools; building employers' confidence to employ disabled people and provide accessible workplaces, ensuring disabled people have the right to make their own decisions with support, understanding the journey into detention of people with neurodisability, advocating for the elimination of non-consensual, nontherapeutic sterilisation; and the ending of seclusion in health facilities.

The Commission also attended the Conference of State Parties to the CRPD in New York in June 2015, and is considered an international leader on data collection and bio-ethical issues that impact on disabled people's rights. The Commission has supported the Government's nomination of Robert Martin to the committee of experts on the CRPD. Mr. Martin is the first person in the world with an intellectual/ learning disability to be nominated to this UN position.

During 2014/15 the Commission developed its second report on *Tracking Equality at Work*. It has been produced as a web-based tool that allows an analysis of employment outcomes in the areas of employment, discrimination, leadership and pay on the basis of sex, ethnicity, age, and disability. It is possible to track the outcomes of a particular group across multiple indicators and it provides an evidence base that enables monitoring progress toward work-based equality.

The Commission provided advice to Statistics New Zealand and the representatives of other government agencies that worked on the gender identity classification by commenting on draft documents, and encouraging submissions on the 2014 consultation paper. The Commission also provided links to transgender communities when Statistics New Zealand socialised the draft consultation.

Organisational health and capability

Te kaha ora o te Kāhui Tika Tangata

The health and capability of our organisation

The Commission implemented the outcomes of its organisational review to enable it to be a more effective and aligned organisation, ensure financial sustainability and, therefore, deliver better human rights outcomes. The Commission's new strategic direction and supporting organisation design will allow it to deliver improved levels of service within existing funding levels.

The Commission aligned its capability and resources to achieve its strategic objectives. This resulted in changes to 35 of 64 roles in the organisation. The new design is a reduction of 6 FTE positions, but there were nine redundancies as not all staff could be re-deployed.

We are delivering services differently – with an external focus on issues that have the greatest impact on the human rights of people in Aotearoa New Zealand. Like all organisations we are committed to continuous improvement and delivering services in a way that is value for money.

These changes have set a foundation for the organisation to change and respond to its external environment.

Good employer responsibility

Leadership, accountability and culture

The Commission is committed to being a good employer and has an EEO programme that incorporates policies and practices to promote equity, fairness and the seven 'good employer' elements. These are regularly reviewed and refreshed.

Leadership and accountability has been strengthened through the ongoing development of an organisation-wide performance framework that aligns all roles to a common purpose. For the first time all Commissioners are included in the performance framework. All managers have specific performance standards relating to EEO and diversity. Senior leaders organise monthly forums to enable all staff to better understand and contribute to the Commission's activities. The Commission continues to support Uepū Māori, a group open to all Māori staff to enable them to live and work as Māori. The Commission works in partnership with the recognised union to develop policy and good employer practices.

Recruitment, selection and induction

The Commission has impartial and transparent employment processes, including selection and interviewing by panels comprising a diverse group of members to provide balanced views. We also implement a detailed induction programme, which includes ongoing monitoring and review. The Commission values a diverse workforce and actively recruits to reflect the population groups it serves.

Employee development, promotion and exit

The Commission actively seeks to ensure fair representation of all groups, including equal access to employment, professional development and opportunities to progress. During 2014/15, a range of opportunities for development have been undertaken, including leadership coaching, specialist and professional training, and practice supervision. Exits and retirements have been supported by the Commission's policies and processes to ensure good practice.

Flexibility and work design

A comprehensive flexible working policy is in place, together with IT facilities to enable staff to work off-site and in flexible ways. Reasonable accommodation is made for employees with disabilities. Flexibility has also been achieved for staff requesting additional support in achieving work-life balance.

Remuneration, recognition and conditions

The Commission has a transparent remuneration system, agreed with the recognised trade union within its Collective Employment Agreement. Other provisions include top-up to government paid parental leave, sick leave for individuals and to care for dependants, study leave, cultural and religious leave and disaster leave.

Harassment and bullying prevention

We promote a zero-tolerance approach to bullying and harassment and have a Dignity at Work policy to respond to and resolve any concerns relating to behaviour in the workplace.

Safe and healthy environment

The Commission used recognised good practice guidelines to review its health and safety policies to meet heightened legislative requirements. A refreshed education programme is underway to enhance manager and staff understanding of their responsibilities. Staff representatives participate in creating and implementing health and safety measures, and have access to reported information.

Safety-related accessibility training and practices ensure staff with disabilities are fully supported. Measures to enhance staff wellbeing include an Employee Assistance Programme, visual care provisions, free flu vaccinations, and private space for reflection, rest and breastfeeding.

Human Rights Commission workforce profile 2015

Staff Numbers		Age profile (of those reported)		Ethnicity (of those reported)**	
Staff					
People	54	Under 30 years	4.44 per cent	NZ European	72.09 per cent
FTE	50.13*	30–39 years	22.22 per cent	Māori	32.56 per cent
		40–49 years	24.44 per cent	Pacific	6.98 per cent
		50–59 years	37.78 per cent	Asian	11.63 per cent
		60 and over years	11.11 per cent	Other	11.63 per cent
Commissioners					
People	6	Under 30 years	0 per cent	NZ European	75 per cent
FTE	4.4	30–39 years	0 per cent	Māori	25 per cent
		40–49 years	17 per cent	Pacific	0 per cent
		50–59 years	66 per cent	Asian	0 per cent
		60 and over years	17 per cent	Other	0 per cent
Length of Service		Gender		Disability (of those reported)	
Staff					
Less than 3 years	25	Female	71.11 per cent	Yes	15.56 per cent
3–10 years	16	Male	28.89 per cent	No	84.44 per cent
Over 10 years	13	Other	0 per cent		
Commissioners					
Less than 3 years	2	Female	50 per cent	Yes	15 per cent
3–10 years	4	Male	50 per cent	No	85 per cent

* 11 are part-time employees, 7 of these are as a result of the Commission's flexi work practices

** People were able to identify with more than one ethnic group and therefore percentages do not add up to 100

The Office of Human Rights Proceedings Te Tari Whakataua Take Tika Tangata

This report is made by the Director of Human Rights Proceedings pursuant to section 92A(4) of the Human Rights Act 1993.

Overview

Eighty-six decisions were made by the Director this year on matters concerning the Human Rights Act 1993 and Privacy Act 1993.

Human Rights Act matters

The Director made 57 decisions in respect to applications for representation under the Human Rights Act 1993. Of these, nine decisions were made to provide representation: three for representation in the Human Rights Review Tribunal; one for enforcement proceedings; and five for settlement purposes. Four matters were referred back to the Human Rights Commission for mediation. 'No further action' decisions were made in 12 cases. A decision not to provide representation was made in 32 cases.

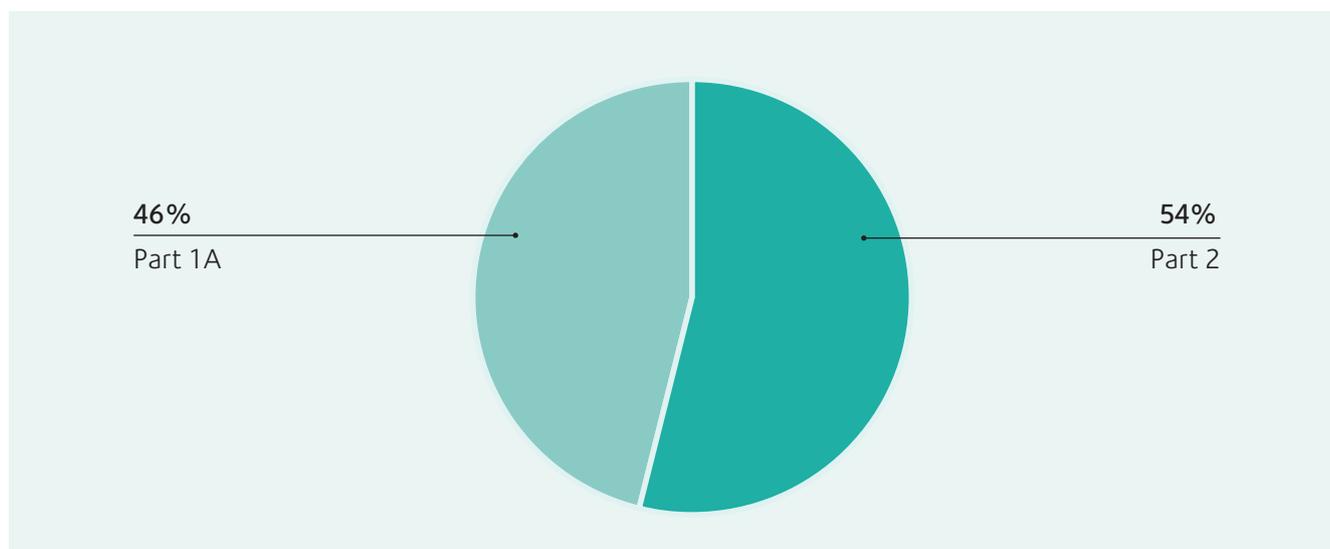
Privacy Act matters

The Director made 29 decisions in respect to Privacy Act 1993 matters. Five decisions followed referrals from the Privacy Commissioner under section 77 of the Privacy Act 1993. The Director decided to bring proceedings in one of these referrals, and two matters were settled. The Director did not take proceedings or settle the remaining two cases.

The Director made 23 decisions in respect to invitations to intervene in proceedings before the Human Rights Review Tribunal. He declined to intervene in any of these. However, a decision was made under section 86 of the Privacy Act 1993 to intervene in an appeal from the Tribunal to the High Court.

This diagram shows the proportion of applications for representation in respect to Part 1A of the Human Rights Act 1993 (which deals with discrimination by government and bodies acting with legal authority), and Part 2 of the Human Rights Act 1993 (which largely deals with discrimination in the private sector).

Decisions made under Part 1A and Part 2 of the Human Rights Act 1993



Decisions in respect to complaints of unlawful discrimination by government and government agencies under Part 1A of the Human Right Act 1993

Public Sector Entity	Ground ¹	Decision
Local Council (2 complaints)	Disability (1)	No (1)
	Religious Belief (1)	No (1)
Ministry of Health (5)	Family Status (2)	No (2)
	Sex (1)	No (1)
	Disability (2)	No (2)
ACC (1)	Disability (1)	No (1)
Ministry of Education (2)	Age (1)	No (1)
	Disability (1)	NFA ² (1)
Ministry of Social Development (2)	No prohibited ground/no jurisdiction (1)	No (1)
	Marital Status (1)	No (1)
School Board of Trustees (2)	Ethnic/national origins (2)	No (1)
		NFA (1)
New Zealand Police (2)	Disability (1)	RB ³ (1)
	No prohibited ground/no jurisdiction (1)	NFA (1)
Health & Disability Commissioner (1)	Disability (1)	No (1)
Department of Corrections (2)	No prohibited ground/no jurisdiction (2)	No (1)
		RB (1)
Educational Institute (4)	Race (2)	No (1), RB (1)
	Ethnic/national origins (1)	No (1)
	Disability (1)	No (1)
Housing New Zealand (1)	Disability (1)	Yes (1)
Work & Income New Zealand (1)	Disability (1)	No (1)
Urban Maori Authority (1)	Disability (1)	NFA (1)

1 Where several grounds were relied upon by the applicant, the primary ground has been isolated.

2 No further action.

3 Referred back to Human Rights Commission.

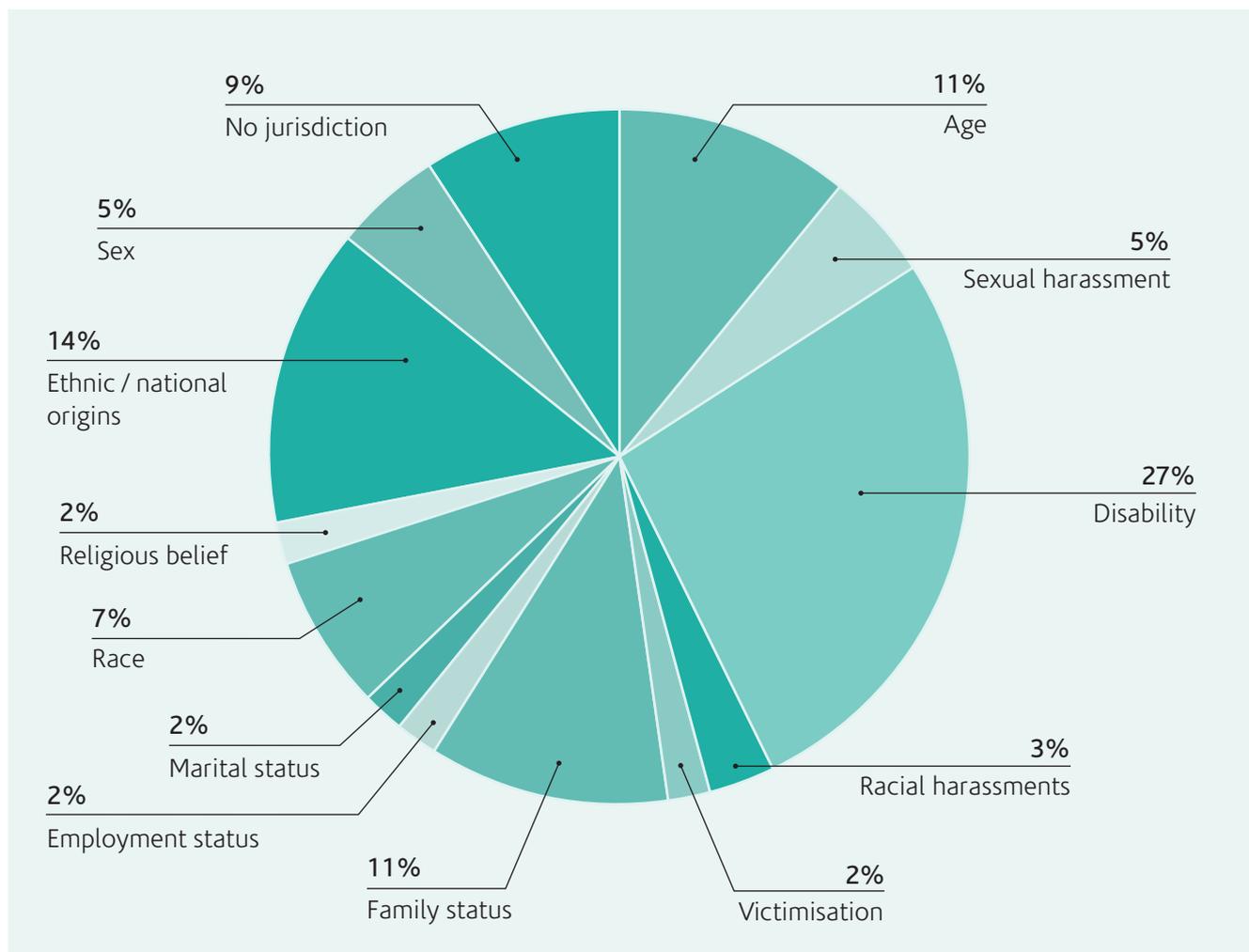
Decisions in respect to complaints of unlawful discrimination under Part 2 of the Human Rights Act 1993 by area and ground or other form of discrimination

Area	Ground/other ⁴	Decision
Employment (15)	Ethnic/national origins (3)	NFA (2), No (1)
	Sexual harassment (4)	NFA (2), Yes (1) ⁵ , No (1)
	Employment status (1)	No (1)
	Family status (1)	Yes (1)
	Disability (2)	No (2)
	Sex (1)	Yes (1)
	Racial harassment (1)	Yes (1)
	Victimisation (1)	NFA (1)
	No prohibited ground/no jurisdiction (1)	No (1)
Provision of goods and services (9)	Family status (2)	No (1), RB (1)
	Sex (1)	Yes (1)
	Race (2)	No (2)
	Disability (1)	No (1)
	Racial harassment (1)	No (1)
	Ethnic/national origins (2)	No (2)
Membership of industrial and professional association, qualifying bodies and vocational training bodies (6)	Age (5)	Yes (3), NFA (2)
	Family status (1)	NFA (1)
Access to education (1)	Disability (1)	No (1)

4 Refer fn1.

5 Decision to provide representation for enforcement proceedings.

Decisions made under the Human Rights Act 1993 by ground and other forms of discrimination



This diagram shows the grounds and other forms of discrimination that were considered in respect to applications for representation as a percentage of the total applications⁶. Where the applicant relied on several grounds, the primary ground has been isolated.

6 One application for representation has been excluded from the diagram as it was an application for representation for enforcement proceedings. These proceedings were ancillary to earlier unlawful discrimination proceedings but did not involve a fresh discrimination claim.

Financial Statements Tauākī pūtea

Human Rights Commission Statement of Responsibility

for the year ended 30 June 2015

Pursuant to section 155 of the Crown Entities Act 2004, we certify that:

- 1 We are responsible for the preparation of these financial statements and the statement of performance and for the judgements in them.
- 2 We are responsible for any end-of-year performance information provided by the Commission under section 19A of the Public Finance Act 1989 whether or not that information is included in this annual report.
- 3 We are responsible for establishing and maintaining a system of internal control designed to provide reasonable assurance as to the integrity and reliability of financial reporting.
- 4 We are of the opinion that these financial statements and statement of performance fairly reflect the financial position as at 30 June 2015 and the operating results and cash flows of the Commission for the year ended 30 June 2015.

Approved on behalf of the Board of the Commission



David Rutherford
Chief Commissioner



Dr Jackie Blue
EEO Commissioner

2 November 2015

Statement of Performance

1 July 2014 to 30 June 2015

Whakatutukitanga Ratonga Tauākī

The *Statement of Performance* is a report on the Commission's performance against key activities, standards and measures set out in its Statement of Performance Expectations for 2014–15.

Reporting results

The following sections of the *Statement of Performance* describe the key activities undertaken in 2014/15 under the appropriation Justice Advocacy, Advice and Promotion Services in the Commission's five outputs areas, and the progress made towards achieving the identified standards and performance measures.

Intention of appropriation

This appropriation is intended to achieve the provision of justice advocacy, advice and promotion services through funding work performed by the Law Commission, the Human Rights Commission, the Independent Police Conduct Authority, the Privacy Commissioner, and the Inspector-General of Intelligence and Security.

Justice Advocacy, Advice and Promotion Services	2014/15 \$000s
Total appropriation	22,869
Human Rights Commission portion of appropriation	9,396
Human Rights Commission expenditure against appropriation	9,807

Output class statement – Justice Advocacy, Advice and Promotion Services

	Actual 2015 \$000	Budget 2015 \$000	Actual 2014 \$000
Revenue			
Crown	9,396	9,396	9,396
Other	387	187	324
Total revenue	9,783	9,583	9,720
Total expenses	9,807	10,222	10,760
Net deficit	(24)	(639)	(1,040)

Output Performance 2014/15

National Plan of Action for the Promotion and Protection of Human Rights in New Zealand

Measure	Baseline	2014/15 standard	2014/15 Result
Effectiveness of the process to establish performance indicators for the NPA	New	Indicators established	Not Achieved
<p>The Commission decided that indicators for the realisation of human rights were being established by the United Nations for the Sustainable Development Goals (SDGs), and these should be used as indicators for the NPA. Accordingly a decision was made to await completion of the SDG goals and indicators in September 2016.</p>			

The Commission also has the following NPA effectiveness measure that is due to be reported in 2017/18.

Measure	2017/18
Overall effectiveness of the NPA process	NPA is recognised as a good practice exemplar both domestically and internally (including the New Zealand Ministry of Justice and the Office of the United Nations High Commissioner for Human Rights).

Education promotion and advocacy

Measure	Baseline	2014/15 standard	2014/15 Result
Effectiveness of working arrangements with government partners to realise human rights	New	Feedback from social policy and justice sector chief executives	Achieved ⁷
		Key Commission recommendations implemented by central and local government agencies	
<p>Some examples of the Commission's effective working arrangements with government partners to realise human rights include:</p> <p>The Commission is a member of the inter-agency collective impact Bullying Prevention Advisory Group (BPAG), which has focused on reducing bullying in New Zealand schools. In this reporting year the group published its second version of the Bullying Prevention Guide.</p> <p>The CE's of CERA MSD and MBIE have reported against the Canterbury Earthquake Report recommendations provided by the Commission.</p> <p>Human rights advice was also provided:</p> <ul style="list-style-type: none"> to the Children's Action Plan Directorate, which has been directly incorporated into the Privacy (Information Sharing Agreement for Improving Public Services for Vulnerable Children) Order 2015 on the Health (Protection) Amendment Bill concerning contact tracing procedures, which have been reflected in the new version of the Bill on the Organised Crime and Anti-Corruption Legislation Bill, where changes were made to the proposed legislation as a result of submissions from the Commission and others on the issue of facilitation payments 			

Measure	Baseline	2014/15 standard	2014/15 Result
Increased reach and relevance	New	Reach and relevance measured by stakeholder survey ⁸ .	Achieved
<p>Overall, the findings indicate the Commission has made headway in many of the areas recommended for improvement in the 2012 Audience Survey, particularly with respect to raising the Commission's profile, the website, and continued quality stakeholder service/interactions. 90.48% of respondents rated the Commission as "extremely effective" (14.29%) "somewhat effective" (54.76%), and "averagely effective" (21.43%). In the 2012 survey, only two comparators of effectiveness were used, with a result of 73% ("very effective – 19%; effective – 54%) for carrying out its functions.</p> <p>The majority of comments associated with this rating are positive about the Commission's work. Many of those that are negative are focused on perceived resource constraints within the Commission.</p> <p>The majority of respondents agree that the Commission's purpose and role is aligned to those of their organisation or their interest. 48.72% of respondents had collaborated with the Commission on an issue or project.</p> <p>87% rated the service or contact they had with the Commission as 'Excellent' (46%) or 'Good' (41%), compared to 81% (50% "excellent; 31% "good") in 2012. Comments supporting this rating are invariably positive about staff and commissioners.</p>			
Quality of legal interventions to promote human rights	New	Positive feedback from external peer review	Achieved
<p>An independent external peer review undertaken by Professor Margaret Wilson provided positive feedback regarding legal interventions over the 2014/15 year.</p>			
Effectiveness of engagement with, civil society including tangata whenua, business and affected sector groups	280 community organisations and affected sector groups contributed 54 submissions to the second UPR ⁹ . This compares to 14 submissions from approximately 40 organisations in the previous UPR.	50 civil society and affected sector groups involved in the development of the NPA ¹⁰	Achieved
<p>Fifty civil society and affected sector groups have been involved in the development of the NPA. Civil society (26), Tangata Whenua (2), government (19), affected sector groups (3).</p>			

7 This is a new measure for the Commission this year, and a system for collecting both feedback and recommendations was not established in time to comprehensively report for 2014/15, particularly any 'positive feedback' as referenced in the Supplementary Estimates 2014/15. In addition to the text provided above, five letters were received by the Commission after we wrote to the responsible public sector CEs about progress made on implementing the Commission's recommendations.

8 The Supplementary Estimates 2014/15 note the performance standard as a '3% increase' although the results are not comparable.

9 Universal Periodic Review.

10 The Supplementary Estimates 2014/15 incorrectly notes the performance standard as '3 monitoring mechanisms established through the NPA', which was not measured in 2014/15. The Commission's focus for 2014/15 was on the SPE measure for 'civil society and affected sector groups involvement' as reported above.

Monitoring and reporting

Measure	Baseline	2014/15 standard	2014/15 Result
Effectiveness of servicing and reporting on the independent monitoring mechanisms for the: <ul style="list-style-type: none"> • <i>Convention on the Rights of Persons with Disabilities</i> • <i>Optional Protocol for the Convention against Torture</i> 	100%	Convention on the Rights of Persons with Disabilities	
	90%	90% satisfaction with the co-ordinating role played by the Commission	Not Applicable
		Report(s) tabled in accordance with agreed timeframes	Not Applicable
		This measure was not applicable for 2014/15 as this function was carried out by The Office of the Ombudsman, and no reports were prepared	
		Optional Protocol for the Convention against Torture	
		90% satisfaction with the coordinating role played by the Commission	Achieved
		Report(s) tabled in accordance with agreed timeframes	Achieved
		There was 100% satisfaction with the co-ordinating role played by the Commission	
		The Commission completed one report, and this was tabled in accordance with agreed timeframes	
Quality of annual review and report into the 'good employer' obligations implemented by Crown entities Effectiveness of the advice and guidance provided to Crown entities to improve their performance		Relevant and accurate report	Achieved
		Feedback from Crown Entities indicate that the report is accurate	
		Advice to at least three Crown entities improve their 'good employer' practices	Achieved
		Three Crown entities improved their 'good employer' practices following advice from the Commission, and 40 Crown entities attained 100% compliance with 'good employer' practices – an increase of 12% from 2013/14	

Responding to and resolving anti-discrimination complaints

Measure	Baseline	2014/15 standard	2014/15 Result
Customer satisfaction with the mediation service	90% of customers satisfied with the mediation process	90% of customers satisfied with the mediation process	Achieved ¹¹
93.6% of customers were satisfied with the mediation process			
Responsive and timely resolution of enquiries and complaints	5800 new enquiries and complaints	5800 new enquiries and complaints	Below forecast
	Demand driven measure – 5236 new enquiries and complaints were received (*5014 new enquiries and complaints, plus 222 publications = 5236)		
	1400 human rights complaints (including unlawful discrimination) are provided a disputes resolution service	1400 human rights complaints (including unlawful discrimination) are provided a disputes resolution service	Below forecast
Percentage of cases resolved through dispute resolution service and resolution leads to positive systemic changes that increase the realisation of human rights	Demand driven measure – 1124 human rights complaints (including unlawful discrimination) were provided a disputes resolution service (1121 complaints, plus 3 BHRMs = 1124)		
	80% of complaints of unlawful discrimination are closed within one year	80% of complaints of unlawful discrimination are closed within one year	Achieved
	91.3% of complaints of unlawful discrimination were closed within one year		
Percentage of cases resolved through dispute resolution service and resolution leads to positive systemic changes that increase the realisation of human rights	78%	80%	Achieved
	82% of cases were resolved through dispute resolution service		
	77 Positive systemic changes	80 ¹² Positive systemic changes ¹³	Achieved
	88 positive systemic changes through resolution		

11 Feedback was sought from participants in 108 face-to-face mediations. It was not sought from mediation that occurred on-the-papers, through email or shuttle telephone mediation. One hundred and nineteen surveys were sent out and 93 were returned

12 The Supplementary Estimates 2014/15 note the performance standard as 85, which is still achieved

13 'Positive systemic change' means an outcome which leads to change in systems or organisation-wide practice, a result which will affect more than one person for an indefinite length of time. Systemic changes can be distinguished from 'individual' results which are, for example, apology, donation, compensation, reinstatement. An 'educational' result is one that reaches a wider audience but is not as widespread or as firm as a systemic result, eg press release, explanation/education in the Human Rights Act 1993

Providing legal representation and bringing proceedings (OHRP)

Measure	Baseline	2014/15 standard	2014/15 Result
Responsive and timely decision making	60-80 human rights and privacy matters received and undertaken	60-80 human rights and privacy matters received and undertaken	On forecast
		Demand driven measure – 80 human rights and privacy matters received and undertaken	
	80% of applications are assessed and allocated to a solicitor within 10 working days	90% of applications are assessed and allocated to a solicitor within 10 working days	Achieved
		100% of applications were assessed and allocated to a solicitor within 10 working days	
	Currently six months	Applications for representation substantially progressed within four months	Achieved
		Overall, 87% of all applications for representation were substantially progressed within four months	

Human Rights Commission Statement of Comprehensive Revenue and Expense

for the year ended 30 June 2015

	Notes	Actual 2015 \$000	Budget 2015 \$000	Actual 2014 \$000
Revenue				
Revenue from the Crown		9,396	9,396	9,396
Interest received		184	116	168
Other revenue		203	71	156
Total revenue	2	9,783	9,583	9,720
Expenses				
Personnel costs	3	6,845	6,930	6,966
Other expenses	4	1,629	1,787	1,847
Projects and programmes		505	656	498
Travel costs		349	368	339
Depreciation and amortisation		101	231	230
Expenses before organisational change costs		9,429	9,972	9,880
Organisational change costs	5	378	250	880
Total expenses		9,807	10,222	10,760
Net deficit		(24)	(639)	(1,040)
Other comprehensive revenue and expense		-	-	-
Total comprehensive revenue and expense		(24)	(639)	(1,040)

Explanations of major variances from budget are detailed in note 20.

A reconciliation of budget and prior year figures that have been reclassified for consistency with presentation of the current year is provided in note 21.

Human Rights Commission Statement of Financial Position

as at 30 June 2015

	Notes	Actual 2015 \$000	Budget 2015 \$000	Actual 2014 \$000
Equity				
Accumulated funds		2,139	1,476	2,163
Total equity		2,139	1,476	2,163
Current assets				
Cash and cash equivalents	6	860	1,654	1,550
Short-term deposits		2,000	-	1,200
Receivables	7	31	45	27
Prepayments		80	130	119
Total current assets		2,971	1,829	2,896
Current liabilities				
Payables	8	292	455	298
GST payable		160	150	174
Finance lease		-	-	13
Employee entitlements	9	380	507	547
Provision for organisational change	10	243	-	-
Total current liabilities		1,075	1,112	1,032
Working capital		1,896	717	1,864
Non-current assets				
Property, plant and equipment	11	294	537	364
Intangible assets	12	9	305	13
Total non-current assets		303	842	377
Non-current liabilities				
Employee entitlements	9	60	82	78
Total non-current liabilities		60	82	78
Net assets		2,139	1,476	2,163

Human Rights Commission Statement of Changes in Equity

for the year ended 30 June 2015

	Notes	Actual 2015 \$000	Budget 2015 \$000	Actual 2014 \$000
Balance at 1 July		2,163	2,115	3,203
Total comprehensive revenue and expense		(24)	(639)	(1,040)
Balance at 30 June		2,139	1,476	2,163

Human Rights Commission Statement of Cash Flows

for the year ended 30 June 2015

	Notes	Actual 2015 \$000	Budget 2015 \$000	Actual 2014 \$000
Cash flows from operating activities				
Receipts from the Crown		9,396	9,396	9,396
Receipts from other sources		211	71	157
Interest received		174	116	168
Goods and services tax (net)		(15)	-	25
Payments to commissioners and employees		(6,735)	(6,807)	(7,261)
Payments to suppliers		(2,873)	(3,187)	(3,598)
Interest paid		-	-	(3)
Net cash flow from operating activities		158	(411)	(1,116)
Cash flows from investing activities				
Maturity of short-term deposits		2,200	1,200	3,750
Sales of property, plant and equipment		2	-	31
Placement of short-term deposits		(3,000)	-	(3,550)
Purchases of property, plant and equipment		(36)	(367)	(17)
Purchases of intangible assets		(1)	(323)	(7)
Net cash flow from investing activities		(835)	510	(207)
Cash flows from financing activities				
Payments of finance lease		(13)	(13)	(28)
Net cash flow from financing activities		(13)	(13)	(28)
Net increase/(decrease) in cash		(690)	86	(937)
Cash and cash equivalents at the beginning of the year		1,550	1,568	2,487
Cash and cash equivalents at the end of the year	6	860	1,654	1,550

Human Rights Commission Notes to the Financial Statements

for the year ended 30 June 2015

1 Statement of accounting policies

Reporting entity

The Commission is a Crown entity as defined by the Crown Entities Act 2004. The Commission's functions and responsibilities are set out in the Human Rights Act 1993 and it has designated itself as a public benefit entity (PBE) for financial reporting purposes.

The financial statements of the Commission are for the year ended 30 June 2015 and were approved by the Board of the Commission on 2 November 2015.

Basis of preparation

The financial statements have been prepared on a going concern basis and the accounting policies have been applied consistently throughout the period.

Statement of compliance

The financial statements of the Commission have been prepared in accordance with the requirements of the Crown Entities Act 2004, which includes the requirement to comply with generally accepted accounting practice in New Zealand (NZ GAAP).

These financial statements have been prepared in accordance with Tier 2 PBE accounting standards. The Commission is eligible to apply Tier 2 PBE accounting standards because it does not have public accountability, as defined in the PBE accounting standards, and its total expenses are less than \$30 million.

These financial statements comply with PBE accounting standards.

These financial statements are the first financial statements presented in accordance with the new PBE accounting standards. No material adjustments arose on transition to the new PBE accounting standards.

Presentation currency and rounding

The financial statements are presented in New Zealand dollars and all values are rounded to the nearest thousand dollars (\$000).

Summary of significant accounting policies

Revenue

Revenue is measured at the fair value of consideration received or receivable.

The specific accounting policies for significant revenue items are explained below:

Revenue from the Crown

The Commission is primarily funded by revenue received from the Crown through the Ministry of Justice for the provision of outputs. This funding is dedicated to the Commission meeting the objectives specified in the Human Rights Act 1993 and the scope of the relevant appropriations of the funder. The Commission considers there are no conditions attached to the funding and it is recognised as non-exchange revenue at the point of entitlement. The fair value of revenue from the Crown has been determined to be equivalent to the amounts due in the funding arrangements.

Interest received

Interest revenue is recognised using the effective interest method.

Rental revenue

Lease receipts under an operating sublease are recognised as revenue on a straight-line basis over the lease term.

Provision of services

Services provided to third parties on commercial terms, such as the provision of advice and educational workshops, are exchange transactions. Revenue from these services is recognised in proportion to the stage of completion at balance date.

Grants received

Grants are recognised as revenue when they become receivable unless there is an obligation in substance to return the funds if conditions of the grant are not met. If there is such an obligation, the grants are initially recorded as grants received in advance and recognised as revenue when conditions of the grant are satisfied.

Grant expenditure

Discretionary grants are those grants where the Commission has no obligation to award on the receipt of a grant application and are recognised as expenditure when approved by the Commission and the approval has been communicated to the applicant.

Project and programme costs

Costs that are directly attributable to a project activity are reported in the statement of comprehensive revenue and expense as project and programme costs. This includes the cost of travel where the primary purpose of the travel relates to the project activity.

Leases

Finance leases

A finance lease is a lease that transfers to the lessee substantially all of the risks and rewards incidental to ownership of an asset, whether or not title is eventually transferred.

At the commencement of the lease term, finance leases where the Commission is the lessee are recognised as assets and liabilities in the statement of financial position at the lower of the fair value of the leased item or the present value of the minimum lease payments.

The finance charge is charged to the surplus or deficit over the lease period so as to produce a constant periodic rate of interest on the remaining balance of the liability. The amount recognised as an asset is depreciated over its useful life. If there is no reasonable certainty as to whether the Commission will obtain ownership at the end of the lease term, the asset is fully depreciated over the shorter of the lease term and its useful life.

Operating leases

An operating lease is a lease that does not transfer substantially all the risks and rewards incidental to ownership of an asset to the lessee.

Lease payments under an operating lease are recognised as an expense on a straight-line basis over the lease term. Lease incentives received are recognised in the surplus or deficit in the statement of comprehensive revenue and expense as a reduction in rental expense over the lease term.

Foreign currency transactions

Foreign currency transactions are translated into New Zealand dollars using the spot exchange rates at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the surplus or deficit in the statement of comprehensive revenue and expense.

Cash and cash equivalents

Cash and cash equivalents include cash on hand and funds on deposit at banks with an original maturity of three months or less.

Short-term deposits

Short-term deposits include funds on deposit at banks with an original maturity of more than three months but not more than 12 months and are initially measured at the amount invested.

Receivables

Short-term receivables are recorded at their face value, less any provision for impairment.

A receivable is considered impaired when there is evidence that the Commission will not be able to collect the amount due. The amount of the impairment is the difference between the carrying amount of the receivable and the present value of the amounts expected to be collected.

Property, plant, and equipment

Property, plant, and equipment consists of equipment, furniture and fittings, leasehold improvements, library books and motor vehicles.

Property, plant, and equipment are measured at cost less any accumulated depreciation and impairment losses.

Additions

The cost of an item of property, plant, and equipment is recognised as an asset when it is probable that future economic benefits or service potential associated with the item will flow to the Commission and the cost of the item can be measured reliably.

Work in progress is measured at cost less impairment and is not depreciated.

In most instances, an item of property, plant and equipment is initially recognised at its cost. Where an asset is acquired through a non-exchange transaction, it is recognised at its fair value at the date of acquisition.

Disposals

Gains and losses on disposals are determined by comparing the proceeds with the carrying amount of the asset. Gains and losses on disposals are reported as a net amount in the surplus or deficit in the statement of comprehensive revenue and expense.

Subsequent costs

Costs incurred subsequent to initial acquisition are capitalised only when it is probable that future economic benefits or service potential associated with the item will flow to the Commission and the cost of the item can be measured reliably.

The costs of day-to-day servicing of property, plant and equipment are recognised in the surplus or deficit as they are incurred.

Depreciation

Depreciation is provided on a straight-line basis on all property, plant and equipment, at rates that will write off the cost of the assets to their estimated residual values over their useful lives. The useful lives and associated depreciation rates of major classes of property, plant and equipment have been estimated as follows:

Equipment	2.5–10 years	10–40%
Furniture and fittings	5–10 years	10–20%
Leasehold improvements	5–9 years	11–20%
Library books	5 years	20%
Motor vehicles	5 years	20%

Leasehold improvements are depreciated over the unexpired period of the lease or the estimated remaining useful lives of the improvement, whichever is the shorter.

The residual value and useful life of an asset is reviewed, and adjusted if applicable, at each financial year-end.

Intangible assets

Software acquisition

Acquired computer software licenses are capitalised on the basis of the costs incurred to acquire and bring to use the specific software.

Costs associated with maintaining computer software, the development and maintenance of the Commission's website, and staff training costs are recognised as an expense when incurred.

Trademarks

Trademarks are capitalised on the basis of the costs incurred to register the trademark with the Intellectual Property Office of New Zealand.

Amortisation

The carrying value of an intangible asset with a finite life is amortised on a straight-line basis over its useful life. Amortisation begins when the asset is available for use and ceases at the date that the asset is derecognised. The amortisation charge for each financial year is recognised in the surplus or deficit in the statement of comprehensive revenue and expense.

The useful lives and associated amortisation rates of major classes of intangible assets have been estimated as follows:

Acquired software	2-5 years	20-50%
Trademarks	10 years	10%

Impairment of property, plant and equipment, and intangible assets

Cash generating assets

The Commission does not hold any property, plant and equipment or intangible assets that are cash-generating. Assets are considered cash-generating where their primary objective is to generate a commercial return, otherwise they are considered non-cash generating.

Non-cash-generating assets

Property, plant and equipment and intangible assets that have a finite useful life are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable service amount.

The recoverable service amount is the higher of an asset's fair value less costs to sell and value in use.

Value in use is determined using an approach based on either a depreciated replacement cost approach, restoration cost approach, or a service units approach. The most appropriate approach used to measure value in use depends on the nature of the impairment and availability of information.

If an asset's carrying amount exceeds its recoverable service amount, the asset is regarded as impaired and the carrying amount is written-down to the recoverable amount. The total impairment loss is

recognised in the surplus or deficit in the statement of comprehensive revenue and expense. The reversal of an impairment loss is also recognised in the surplus or deficit in the statement of comprehensive revenue and expense.

Intangible assets that have an indefinite useful life are not subject to amortisation and are tested annually for impairment. An intangible asset that is not yet available for use at the balance sheet date is tested for impairment annually.

Payables

Short-term payables are recorded at their face value.

Employee entitlements

Short-term employee entitlements

Employee benefits that are due to be settled within 12 months after the end of the period in which the employee renders the related service are measured based on accrued entitlements at current rates of pay. These include salaries and wages accrued up to balance date and annual leave earned but not yet taken at balance date. A liability and an expense are recognised for bonuses where there is a contractual obligation or where there is a past practice that has created a constructive obligation and a reliable estimate of the obligation can be made.

Permanent employees are entitled to actual and reasonable sick leave to recover from genuine illness but entitlements do not accumulate and are recognised as an expense when the absence occurs.

Long-term employee entitlements

Employee benefits that are due to be settled beyond 12 months after the end of the period in which the employee renders the related service, such as long service leave and retirement leave, have been calculated on an actuarial basis. The calculations are based on:

- likely future entitlements accruing to staff, based on years of service, years to entitlement, the likelihood that staff will reach the point of entitlement, and contractual entitlements information, and
- the present value of the estimated future cash flows

Presentation of employee entitlements

Accrued salaries and wages, bonuses, annual leave and vested long service leave are classified as a current liability. Non-vested long service leave and retirement leave expected to be settled within 12 months of balance date are classified as a current liability. All other employee entitlements are classified as a non-current liability.

Superannuation schemes

Defined contribution schemes

Obligations for contributions to KiwiSaver and the Government Superannuation Fund are accounted for as defined contribution schemes and are recognised as an expense in the surplus or deficit in the statement of comprehensive revenue and expense as incurred.

Defined benefit schemes

The Commission currently does not make contributions to defined benefit schemes.

Provisions

A provision is recognised for future expenditure of an uncertain amount or timing when there is a present obligation (either legal or constructive) as a result of a past event, it is probable that an outflow of future economic benefits will be required to settle the obligation, and a reliable estimate can be made of the amount of the obligation.

Provisions are measured at the present value of the expenditure expected to be required to settle the obligation using a discount rate that reflects current market assessments of the time, value of money and the risks specific to the obligation. The increase in the provision due to the passage of time is recognised as an interest expense and is included in finance costs.

Organisational change costs

A provision for organisational change costs arising from restructuring is recognised when an approved detailed formal plan for the restructuring has either been announced publicly to those affected, or for which implementation has already commenced.

Commitments

Expenses yet to be incurred on non-cancellable operating leases that have been entered into on or before balance date are disclosed as commitments to the extent that there are equally unperformed obligations.

Cancellable operating leases that have penalty or exit costs explicit in the agreement on exercising that option to cancel are disclosed at the value of that penalty or exit cost.

Accumulated funds

Accumulated funds are the net surpluses and deficits that have accumulated over time and represent the Crown's investment in the Commission. Accumulated funds are measured as the difference between total assets and total liabilities.

Goods and services tax (GST)

All items in the financial statements are stated exclusive of GST, except for receivables and payables, which are stated on a GST inclusive basis. Where GST is not recoverable as input tax it is recognised as part of the related asset or expense.

The net amount of GST recoverable from, or payable to, the Inland Revenue Department (IRD) is presented in the statement of financial position.

The net GST paid to, or received from the IRD, including the GST relating to investing and financing activities, is classified as an operating cash flow in the statement of cash flows.

Commitments and contingencies are disclosed exclusive of GST.

Income tax

The Commission is a public authority and consequently is exempt from the payment of income tax. Accordingly, no provision has been made for income tax.

Budget figures

The budget figures are derived from the statement of performance expectations as approved by the Board at the beginning of the financial year. The budget figures have been prepared in accordance with NZ GAAP, using accounting policies that are consistent with those adopted by the Board in preparing these financial statements.

Critical accounting estimates and assumptions

In preparing these financial statements, the Commission has made estimates and assumptions concerning the future. These estimates and assumptions may differ from the subsequent actual results. Estimates and assumptions are continually evaluated and are based on historical experience and other factors, including expectations of future events that are believed to be reasonable under the circumstances. The estimates and assumptions that have a significant risk of causing material adjustment to the carrying amount of assets and liabilities within the next financial year are discussed below:

Estimating useful lives and residual values of property, plant and equipment and intangible assets

At each balance date, the useful lives and residual values of property plant and equipment and intangible assets are reviewed. Assessing the appropriateness of useful life and residual value estimates of property, plant and equipment, and intangible assets requires a number of factors to be considered such as the physical condition of the asset, expected period of use of the asset by the Commission, and expected disposal proceeds from the future sale of the asset. An incorrect estimate of the useful life or residual value will affect the depreciation or amortisation expense recognised in the surplus or deficit in the statement of comprehensive revenue and expense, and the carrying amount of the asset in the statement of financial position.

The Commission has not made any significant changes to past assumptions concerning useful lives and residual values.

Notes 11 and 12 detail the carrying amounts of property, plant and equipment and intangible assets respectively.

Retirement and long service leave

Note 9 details the critical estimates and assumptions made in relation to retirement and long service leave liabilities.

Critical judgements in applying accounting policies

The Commission has not made any critical judgements in applying the accounting policies.

Comparative information

When presentation or classification of items in the financial statements is amended or accounting policies are changed voluntarily, comparative figures are restated to ensure consistency with the current period unless it is impracticable to do so.

2 Revenue

	2015 \$000	2014 \$000
Revenue from non-exchange transactions		
Revenue from the Crown	9,396	9,396
Other revenue	84	79
Total revenue from non-exchange transactions	9,480	9,475
Revenue from exchange transactions		
Interest received	184	168
Other revenue	119	77
Total revenue from exchange transactions	303	245
Total revenue	9,783	9,720

3 Personnel costs

	2015 \$000	2014 \$000
Salaries and wages	6,477	6,601
Employer contributions to defined contribution plans	136	151
Increase/(decrease) in employee entitlements	(185)	(242)
Other	417	456
Total personnel costs	6,845	6,966

Personnel costs include the Commissioners and Director of Human Rights Proceedings. It should be noted that the Commissioners and Director of Human Rights Proceedings are appointed by warrant of the Governor-General and are therefore not employees.

Employer contributions to defined contribution plans include contributions to KiwiSaver and the Government Superannuation Fund.

4 Other expenses

	2015 \$000	2014 \$000
Operating lease expense	523	519
Information and communications technology	319	322
Other operating costs	787	1,006
Total other expenses	1,629	1,847

5 Organisational change costs

	2015 \$000	2014 \$000
Organisational change costs	378	880
Total organisational change costs	378	880

In June 2015 the Board of the Commission finalised decisions to restructure the Commission's workforce. This restructuring allowed the Commission to further align its workforce with strategic priorities while addressing the need to maintain financial sustainability within existing funding levels until at least 2020. It continued the work of the self-initiated review implemented last year to become a more effective and aligned organisation, ensure financial sustainability and deliver better human rights outcomes.

Organisational change costs in both years relate to employee cessation payments and support services, and in 2014 also include the cost of consultants who provided advice and services related to the review.

An explanation of the variance from budget is included in note 20.

6 Cash and cash equivalents

	2015 \$000	2014 \$000
Cash at bank and on hand	860	1,550
Total cash and cash equivalents	860	1,550

7 Receivables

	2015 \$000	2014 \$000
Debtors	2	4
Accrued revenue	29	19
Other receivables	-	4
Total receivables	31	27

The carrying value of receivables approximates their fair value. All receivables have been assessed for impairment and there is no impairment.

8 Payables

	2015 \$000	2014 \$000
Payables under exchange transactions		
Creditors	193	198
Revenue received in advance	17	9
Total payables under exchange transactions	210	207
Payables under non-exchange transactions		
PAYE tax payable	72	75
Grants received subject to conditions	10	16
Total payables under non-exchange transactions	82	91
Total payables	292	298

9 Employee entitlements

	2015 \$000	2014 \$000
Current portion		
Accrued salaries and wages	3	23
Annual leave	359	494
Retirement and long service leave	18	30
Total current portion	380	547
Non-current portion		
Retirement and long service leave	60	78
Total non-current portion	60	78
Total employee entitlements	440	625

The liability for retirement and long service leave entitlements is carried at the present value of estimated future cash flows, calculated based on a number of factors determined on an actuarial basis.

Two key assumptions used in calculating the retirement and long service leave liability include the discount rate and the salary inflation factor. Any changes in these assumptions will impact on the carrying amount of the liability.

Expected future payments are discounted using forward discount rates derived from the yield curve of New Zealand government bonds. The salary inflation factor has been determined based on the long-term annual increase in salaries and wages expected by the New Zealand Treasury. A discount rate of 4.39% (2014: 5.5%) and an inflation factor of 3.0% (2014: 3.5%) were used.

Because the carrying amount of the retirement and long service leave liability is small, the impact of either the discount rate or salary inflation factor differing by 1 percentage point from that used would be negligible.

10 Provision for organisational change

	2015 \$000	2014 \$000
Opening balance	-	-
Additional provisions made	243	-
Total provision for organisational change	243	-

The Commission's Board approved a detailed and formal restructuring plan in June 2015 and the restructuring commenced that same month. The restructuring plan and associated payments were completed by August 2015. This provision represents the cost of redundancy and other payments arising from the restructure.

11 Property, plant and equipment

Movements for each class of property, plant and equipment are as follows:

	Equipment \$000	Furniture & Fittings \$000	Leasehold Improvements \$000	Library \$000	Motor Vehicles \$000	Total \$000
Cost						
Balance at 1 July 2013	871	290	561	115	74	1,911
Additions	17	-	-	-	-	17
Disposals	(118)	(11)	-	-	-	(129)
Balance at 30 June 2014	770	279	561	115	74	1,799
Balance at 1 July 2014	770	279	561	115	74	1,799
Additions	36	-	-	-	-	36
Disposals	(162)	-	-	-	(28)	(190)
Balance at 30 June 2015	644	279	561	115	46	1,645
Accumulated depreciation and impairment losses						
Balance at 1 July 2013	603	128	422	115	74	1,342
Depreciation expense	87	34	97	-	-	218
Eliminate on disposal	(117)	(8)	-	-	-	(125)
Balance at 30 June 2014	573	154	519	115	74	1,435
Balance at 1 July 2014	573	154	519	115	74	1,435
Depreciation expense	68	21	7	-	-	96
Eliminate on disposal	(152)	-	-	-	(28)	(180)
Balance at 30 June 2015	489	175	526	115	46	1,351
Carrying amounts						
At 1 July 2013	268	162	139	-	-	569
At 30 June and 1 July 2014	197	125	42	-	-	364
At 30 June 2015	155	104	35	-	-	294

There are no restrictions over the title of the Commission's property, plant and equipment, nor are any assets held under finance leases or pledged as security for liabilities (2014: Equipment held under finance lease \$15,000).

12 Intangible assets

Movements for each class of intangible asset are as follows:

	Acquired Software \$000	Trademarks \$000	Total \$000
Cost			
Balance at 1 July 2013	117	4	121
Additions	7	-	7
Disposals	-	-	-
Balance at 30 June 2014	124	4	128
Balance at 1 July 2014	124	4	128
Additions	1	-	1
Disposals	-	-	-
Balance at 30 June 2015	125	4	129
Accumulated amortisation and impairment losses			
Balance at 1 July 2013	101	1	102
Amortisation expense	12	1	13
Balance at 30 June 2014	113	2	115
Balance at 1 July 2014	113	2	115
Amortisation expense	5	-	5
Balance at 30 June 2015	118	2	120
Carrying amounts			
At 1 July 2013	16	3	19
At 30 June and 1 July 2014	11	2	13
At 30 June 2015	7	2	9

There are no restrictions over the title of the Commission's intangible assets, nor are any intangible assets pledged as security for liabilities.

13 Capital commitments and operating leases

Capital commitments

There were no capital commitments at the balance sheet date (2014: nil).

Operating leases

The Commission leases office floor space in Auckland in the normal course of its business. The future aggregate minimum lease payments to be paid under the operating lease are as follows:

	2015 \$000	2014 \$000
Not later than one year	264	454
Later than one year but not later than five years	1,058	1,040
Later than five years	-	260
Total non-cancellable operating leases	1,322	1,754

The Commission has a right to renew the lease for a further six year term from July 2020, but does not have any option to purchase any of the assets at the end of the lease term. There are no restrictions placed on the Commission by the operating lease arrangement.

On 12 April 2015 the Commission's lease of its Wellington office space ended. The Commission continues to occupy the space on a month to month arrangement pending the conclusion of negotiations with the landlord for an all-of-government solution, led by the Tertiary Education Commission.

14 Contingencies

Contingent liabilities

The Commission has no contingent liabilities. (2014: The Commission was subject to a "make good" clause in relation to its lease of office space in Wellington. The lease was terminated in April 2015 and the "make good" clause was waived.)

Contingent assets

The Commission has no contingent assets (2014: nil).

15 Related party transactions and key management personnel

The Commission is a wholly-owned entity of the Crown.

Related party disclosures have not been made for transactions with related parties that are within a normal supplier or client/recipient relationship on terms and conditions no more or less favourable than those it is reasonable to expect the Commission would have adopted in dealing with a party at arm's length in the same circumstances. Further, transactions with other government agencies (for example, government departments and Crown entities) are not disclosed as related party transactions when they are consistent with the normal operating arrangements between government agencies and undertaken on the normal terms and conditions for such transactions.

Key management personnel compensation

	2015	2014
<i>Commissioners and Director of Human Rights Proceedings</i>		
Total remuneration	\$1,330,469	\$1,274,473
Full-time equivalent members	5.5	5.5
<i>Senior Management Team</i>		
Total remuneration	\$1,396,904	\$1,279,821
Full-time equivalent members	7.3	6.4
Total key management personnel compensation	\$2,727,373	\$2,554,294
Total full-time equivalent personnel	12.8	11.9

Full-time equivalent values have been pro-rated for positions that were not part of the senior management team for the full year.

16 Commissioners' and other committee member's total remuneration

Total remuneration includes all benefits paid or payable to each commissioner or committee member during the financial year.

Position	Member	2015 \$	2014 \$
Chief Commissioner	David Rutherford	324,517	312,196
Commissioner (part-time)	Karen Johansen	83,725	74,620
Commissioner (part-time)	Richard Tankersley	63,735	61,500
Disability Rights Commissioner (part-time)	Paul Gibson	181,577	176,914
Equal Employment Opportunities Commissioner	Jackie Blue	229,345	219,340
Race Relations Commissioner	Susan Devoy	226,987	221,458
Audit Committee Chair	Graeme R Mitchell	2,213	2,950

Indemnity insurance

The Commission effected Directors' and Officers' Liability and Professional Indemnity insurance cover during the financial year in respect of the liability or costs of Board members and employees.

17 Employee remuneration

The Commission, as a Crown entity, is required to disclose certain remuneration information in its annual report. In essence, the information to be reported is the number of employees receiving total remuneration of \$100,000 or more per annum. Total remuneration includes end of contract payments such as notice pay and accrued leave entitlements but excludes cessation payments. In compliance, the table below has been produced, which is in \$10,000 bands to preserve the privacy of individuals. Because Commissioners are not employees of the Commission they have been excluded from the table.

Remuneration of employees over \$100,000 per annum

Total remuneration p.a.	Number of employees	
	2015	2014
\$100,000 - \$110,000	8	5
\$110,001 - \$120,000	3	-
\$120,001 - \$130,000	-	2
\$130,001 - \$140,000	3	3
\$140,001 - \$150,000	-	1
\$150,001 - \$160,000	1	-
\$160,001 - \$170,000	2	-
\$170,001 - \$180,000	-	-
\$180,001 - \$190,000	-	-
\$190,001 - \$200,000	-	-
\$200,001 - \$210,000	-	1
\$210,001 - \$220,000	-	-
\$220,001 - \$230,000	1	-
\$230,001 - \$240,000	-	1
\$240,001 - \$250,000	-	-
\$250,001 - \$260,000	-	-
\$260,001 - \$270,000	-	-
\$270,001 - \$280,000	1	-

Cessation payments

During the year ended 30 June 2015 payments totalling \$234,410 were made to 7 employees in relation to their cessation of employment (2014: 13 employees, total \$494,000).

18 Events after the balance sheet date

There have been no significant events after the balance sheet date (2014: none).

19 Categories of financial instruments

The carrying amounts of financial assets and financial liabilities in each of the financial instrument categories are as follows:

	2015 \$000	2014 \$000
<i>Loans and receivables</i>		
Cash and cash equivalents	860	1,550
Short-term deposits	2,000	1,200
Receivables	31	27
Total loans and receivables	2,891	2,777
<i>Financial liabilities measured at amortised cost</i>		
Payables (excluding revenue in advance and taxes payable)	193	198
Finance lease	-	13
Total financial liabilities measured at amortised cost	193	211

20 Explanation of major variances from budget

Statement of comprehensive revenue and expense

Revenue was \$200,000 or 2.1% more than budgeted as a result of additional interest revenue, rental income from subleasing a portion of the Auckland office, and recovery of costs from third parties that could not be anticipated at the time of budget setting.

Excluding costs related to the organisational review, expenses were \$543,000 or 5.4% less than budgeted. This was because:

- a Spending on projects and programmes was \$151,000 less than budgeted due to a combination of savings and deferrals of costs to next year. Costs that have been deferred typically relate to situations beyond our control, such as our work in monitoring the United Nations Optional Protocol to the Convention against Torture and Convention on the Rights of Persons with Disabilities instruments which require input from partner organisations, or legal cases that had not progressed as far as expected.
- b Depreciation and amortisation was \$130,000 less than budgeted on a lower asset base than expected during the year. IT systems improvements were deferred while workforce changes were finalised and an audit of all current systems and services was undertaken. Office fit-outs did not proceed following a decision to remain in the existing Auckland office after successfully subleasing surplus office space, and the Wellington office move was deferred pending the outcome of an all-of-government solution.
- c Personnel costs were \$85,000 less than budgeted and travel was \$19,000 less than budgeted.
- d Other expenses were \$158,000 less than budgeted. Office relocation costs were not incurred because the Auckland and Wellington offices were not relocated for reasons noted above, and costs for information and communications technology services were lower because of the deferral of systems improvements.

Costs related to organisational change were \$128,000 more than budgeted because more roles were disestablished than had been estimated at the time of budget setting.

21 Reclassification adjustments

A reconciliation of budget and prior year figures that have been reclassified for consistency with presentation of the current year is provided below.

2015 budget

Reclassification adjustments between budget figures included in statement of performance expectations as approved by the Board at the beginning of the year and the budget figures included in this report are as follows:

	SPE Budget \$000	Reclassifications \$000	Reclassified Amount \$000
Expense lines			
Other expenses	1,732	55	1,787
Projects and programmes	961	(305)	656
Organisational change costs	-	250	250
Expense lines reclassified	2,693	-	2,693

2014 comparatives

Reclassification adjustments between 2014 figures included in last year's annual report and the comparative figures included in this report are as follows:

	Previously Reported \$000	Reclassifications \$000	Reclassified Amount \$000
Revenue lines			
Other revenue	130	26	156
Gains	26	(26)	-
Revenue lines reclassified	156	-	156
Expense lines			
Personnel costs	6,964	2	6,966
Other expenses	1,790	57	1,847
Projects and programmes	554	(56)	498
Finance costs	3	(3)	-
Expense lines reclassified	9,311	-	9,311

Independent Auditor's Report

To the readers of The Human Rights Commission's financial statements and performance information for the year ended 30 June 2015

The Auditor-General is the auditor of the Human Rights Commission (the Commission). The Auditor-General has appointed me, J.R Smaill, using the staff and resources of Audit New Zealand, to carry out the audit of the financial statements and the performance information, including the performance information for an appropriation, of the Commission on her behalf.

Opinion on the financial statements and the performance information

We have audited:

- the financial statements of the Commission on pages 39 to 60, that comprise the statement of financial position as at 30 June 2015, the statement of comprehensive revenue and expenses, statement of changes in equity and statement of cash flows for the year ended on that date and the notes to the financial statements that include accounting policies and other explanatory information; and
- the performance information of the Commission on pages 12 to 21 and 33 to 38.

In our opinion:

- the financial statements of the Commission:
 - present fairly, in all material respects:
 - its financial position as at 30 June 2015;
 - its financial performance and cash flows for the year then ended; and
 - comply with generally accepted accounting practice in New Zealand and have been prepared in accordance with Public Benefit Entity Standards with reduced disclosure requirements;
- the performance information:
 - presents fairly, in all material respects, the Commission's performance for the year ended 30 June 2015, including:
 - for each class of reportable outputs:
 - its standards of performance achieved as compared with forecasts included in the statement of performance expectations for the financial year;
 - its actual revenue and output expenses as compared with the forecasts included in the statement of performance expectations for the financial year;
 - what has been achieved with the appropriation;
 - the actual expenses or capital expenditure incurred compared with the appropriated or forecast expenses or capital expenditure; and
 - complies with generally accepted accounting practice in New Zealand.

Our audit was completed on 2 November 2015. This is the date at which our opinion is expressed.

The basis of our opinion is explained below. In addition, we outline the responsibilities of the Commissioners and our responsibilities, and explain our independence.

Basis of opinion

We carried out our audit in accordance with the Auditor-General's Auditing Standards, which incorporate the International Standards on Auditing (New Zealand). Those standards require that we comply with ethical requirements and plan and carry out our audit to obtain reasonable assurance about whether the financial statements and the performance information are free from material misstatement.

Material misstatements are differences or omissions of amounts and disclosures that, in our judgement, are likely to influence readers' overall understanding of the financial statements and the performance information. If we had found material misstatements that were not corrected, we would have referred to them in our opinion.

An audit involves carrying out procedures to obtain audit evidence about the amounts and disclosures in the financial statements and the performance information. The procedures selected depend on our judgement, including our assessment of risks of material misstatement of the financial statements and the performance information, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the preparation of the Commission's financial statements and performance information in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control.

An audit also involves evaluating:

- the appropriateness of accounting policies used and whether they have been consistently applied;
- the reasonableness of the significant accounting estimates and judgements made by the Commissioners;
- the appropriateness of the reported performance information within the Commission's framework for reporting performance;
- the adequacy of the disclosures in the financial statements and the performance information; and
- the overall presentation of the financial statements and the performance information.

We did not examine every transaction, nor do we guarantee complete accuracy of the financial statements and the performance information. Also, we did not evaluate the security and controls over the electronic publication of the financial statements and the performance information.

We believe we have obtained sufficient and appropriate audit evidence to provide a basis for our audit opinion.

Responsibilities of the Commissioners

The Commissioners are responsible for preparing financial statements and performance information that:

- comply with generally accepted accounting practice in New Zealand and have been prepared in accordance with Public Benefit Entity Standards with reduced disclosure requirements;
- present fairly the Commission's financial position, financial performance and cash flows; and
- present fairly the Commission's performance.

The Commissioner's responsibilities arise from the Crown Entities Act 2004 and the Public Finance Act 1989.

The Commissioners are responsible for such internal control as it determines is necessary to enable the preparation of financial statements and performance information that are free from material misstatement, whether due to fraud or error. The Commissioners are also responsible for the publication of the financial statements and the performance information, whether in printed or electronic form.

Responsibilities of the Auditor

We are responsible for expressing an independent opinion on the financial statements and the performance information and reporting that opinion to you based on our audit. Our responsibility arises from the Public Audit Act 2001.

Independence

When carrying out the audit, we followed the independence requirements of the Auditor-General, which incorporate the independence requirements of the External Reporting Board.

Other than the audit, we have no relationship with or interests in the Commission.



J.R Smail
Audit New Zealand
On behalf of the Auditor-General
Auckland, New Zealand

