



Tūi Tūi Tuituiā

Race Relations in 2013



Human Rights
Commission

Te Kāhui Tikā Tangata



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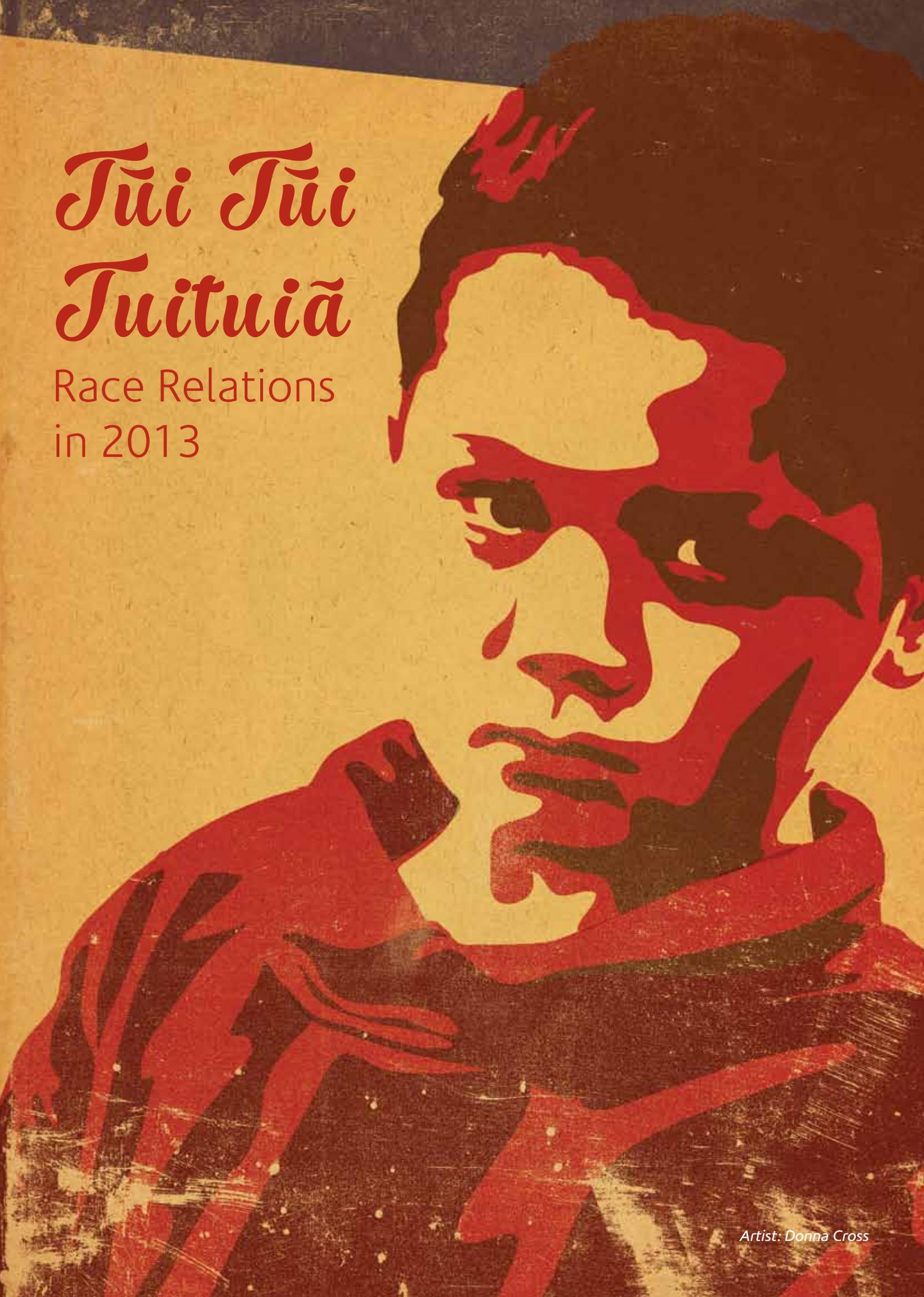
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Tūi Tūi Tuituiā

Race Relations
in 2013



Artist: Donna Cross

Ngā kupu

Glossary

hapū	sub-tribe(s) that share a common ancestor	rangatahi	youth, younger generation
hauora	health	rangatira	leader, chief
iwi	tribal kinship group; nation	rangatiratanga	self determination, autonomy, leadership, the right of Māori to be self-determining
kaitiaki	guardian, minder; custodian over natural resources	rohe	area, region
kaitiakitanga	guardianship; cultural and financial stewardship; accountability	Tangata Whenua	Indigenous people of the land, first people of the land
kapa haka	Māori performance group; a team/group performing haka/waiata/poi	taonga	treasure, an heirloom to be passed down through the different generations; protected natural resource
kaumātua	elder(s)	tauīwi	non-Māori people
kōhanga reo	preschool based on Māori language and culture	te reo Māori	the Māori language
kuia	female elder	tikanga Māori	Māori customs, protocols and practices
kura	school	tūrangawaewae	a permanent place to stand, a place where one has the right to reside and belong
mātauranga Māori	Māori knowledge	whakapapa	genealogy, lineage
papa kainga	home base, village	whānau	family; nuclear/extended family
pōwhiri	to welcome; welcome ceremony		



Ngā kaupapa

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Kōrero whakataki

Introduction

This year's annual review of race relations in Aotearoa New Zealand marks a decade of efforts to further foster harmonious race relations and promote the equal enjoyment of human rights by all New Zealanders. The Commission's first review was published in 2004.

During 2013, my first year as Race Relations Commissioner, I have seen first-hand how Aotearoa New Zealand's growing diversity is building richer and more vibrant communities. I also gained insight into new race relations challenges and heard from those who've experienced racial discrimination and harassment. I enjoyed in-depth discussions with community, iwi and faith leaders and attended many inspiring events and celebrations. It was an honour to commemorate Matariki with King Tūheitia in Ngāruawāhia, to break bread with a multi-faith group hosted by Wellington's Jewish community, and to enjoy a special Iftar meal marking the end of Ramadan at Parliament. There have been many other memorable experiences.

I was incredibly moved when Afghan interpreters and their families were welcomed by the Defence Force, the New Zealand Police and the people of Hamilton at a pōwhiri at Kirikiriroa Marae. How great would it be if we could treat all new New Zealanders this way?

This year also saw the passing of Nelson Mandela – a hero of the human rights movement and a voice for unity, dignity and respect. His inspirational commitment to racial equality remains as an example to us all. Mandela's humility and leadership, compassion and dignity, humour and humanity will continue to enlighten and inform the human rights work of the many people he inspired and championed.

His death also reminds us of the history behind the International Day of the Elimination of Racial Discrimination. Observed on March 21 each year, the day commemorates the tragedy in 1960 in Sharpeville, South Africa, when over 50 people were killed during protests against discriminatory apartheid laws. For New Zealanders, March 21, Race Relations Day, is an opportunity to actively nurture and celebrate our diversity. It also offers us a time to reflect on, and justify our country's reputation as a world leader in building harmonious communities. It gives us time to think about the realities of many New Zealanders, and the challenges ahead.



Race Relations in 2013 identifies several important areas for action.

We must work together to ensure new migrants are welcomed and well supported. This is a priority, as is making sure newcomers have access to meaningful employment and workplaces where they are treated with dignity and respect.

It is important that all New Zealanders are able to participate in informed and stimulating discussions about the future shape of our constitutional arrangements. These discussions should aim to pave the way toward firmly consolidating Te Tiriti o Waitangi as the founding document of our nation and putting human rights at the heart of our country's laws and values.

Listening to people's experiences of race relations, I too am often reminded of those frequently unrecognised instances of everyday racial harassment – the jokes, statements and casual comments made by individuals who fail to understand the profound offence and hurt they are causing. If Aotearoa New Zealand is to remain a world leader in race relations, we must continue to challenge negative attitudes, build understanding and foster inclusion.

Figures from this year's Census show Aotearoa New Zealand is more ethnically diverse than ever. In order to grasp the new opportunities this diversity provides, we must all take action, tangible steps, to realise human rights, eliminate discrimination and affirm a sense of belonging or tūrangawaewae for all New Zealanders.

Over the coming year, these priorities will inform New Zealand's second National Plan of Action for the Promotion and Protection of Human Rights.

“No one is born hating another person because of the colour of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite.”

Nelson Mandela



Nelson Mandela © APN/Y Martin

Dame Susan Devoy
Race Relations Commissioner
Kaihautū Whakawhanaunga-ā-iwi





Artist: Henrietta Harris

Whakawhanaungatanga ā iwi 2013

Race relations in 2013

Whakarongo ake au ki te tangi ā te manu nei, te mā-tui. Tūi-tūi-tuitiā. Tuia i runga, tuia i raro, tuia i waho, tuia i roto. Tuia te here tangata kā rongo te pō, kā rongo te ao. Tūi-tūi-tuitiā te whanaungatanga o te tangata.

Race Relations in 2013 is the tenth annual review of race relations published by the Human Rights Commission. Documenting the main developments in race relations and ethnic diversity in Aotearoa New Zealand over the last year, it identifies efforts made to address racial inequalities. It also records and celebrates some of the many positive contributions made by individuals and community organisations toward harmonious race relations in Aotearoa New Zealand. This review is one of the projects the Human Rights Commission undertakes as a participant in Te Ngira, the New Zealand Diversity Action Programme.

Several significant developments have informed *Race Relations in 2013*. These include the *2013 Census*, revealing the latest changes in our population; and the Constitutional Review – which enabled New Zealanders to discuss the rules and values governing our country.

During the year, Aotearoa New Zealand's human rights record was scrutinised by the United Nations Committee on the Elimination of Racial Discrimination (CERD) and also by the United Nations Human Rights Council which undertook New Zealand's second Universal Periodic Review. Both CERD and the Universal Periodic Review identified some important race relations priorities. Several of these are highlighted in this review and should inform part of a national plan of action for human rights.

A quick look back on the last 10 years

Over the last ten years, the Human Rights Commission has recorded race relations issues and developments in Aotearoa New Zealand. Much has happened since the first review was published in 2004.

1. The ethnic diversity of Aotearoa New Zealand has increased significantly, with the latest Census confirming major change in the make-up of our population.
2. Te Ngira, the New Zealand Diversity Action Programme, was initiated in 2004. Its membership has grown and it continues to work to bring organisations together, encouraging activities dedicated to promoting cultural and religious diversity and harmonious relations.
3. Many initiatives addressing entrenched inequalities in health, justice, employment and education were introduced. Despite progress in some areas, Māori and Pacific people continue to be the most vulnerable to discrimination.
4. Tangata Whenua have continued to assert their human rights, as protected by Te Tiriti o Waitangi (the Treaty) and international human rights law. Through the settlement of Treaty claims, the worth of the Māori economy has grown to an estimated \$37 billion. Māori Television went to air, building a connection to Māori culture for all New Zealanders and major public programmes driven by Māori cultural values such as Whānau Ora and others were introduced.
5. New Zealand endorsed the United Nations Declaration on the Rights of Indigenous Peoples and reaffirmed Aotearoa New Zealand's commitment to advancing the human rights of indigenous people.
6. Regional and community-led strategies were established and expanded to welcome and support new migrants and refugees. These initiatives continue to adapt to changes in immigration law and to the circumstances of the many different ethnic groups making their home in Aotearoa New Zealand.
7. Asian New Zealanders demonstrated ongoing resilience despite being perceived as the group most likely to experience racial discrimination and harassment – a perception which has endured in each of the annual reviews of race relations over the last 10 years.

8. Social media changed the way we interact with each other, providing exciting new opportunities. It also offers a new platform for racial harassment.
9. During the last decade New Zealanders reflected on our country's constitution and what we would like it to look like in the future. In 2004, this took the shape of a parliamentary discussion, and by 2013 it was the subject of a national conversation.

Census reveals Aotearoa's ethnic diversity

Aotearoa New Zealand has more ethnicities than there are countries in the world, according to the 2013 Census¹. Of the 4.24 million people living in New Zealand, a quarter were born overseas and the ethnic diversity of our country has increased markedly since the last Census in 2006.

Our five largest ethnic groups are European, Māori, Chinese, Samoan, and Indian.

Some of the biggest increases since 2006 include Chinese – up 16 per cent to 171,000 people, Indian – up 48 per cent to 155,000, and Filipino – more than doubled to 40,000. There is also a continued increase in the number of New Zealanders of Middle Eastern, African and Latin American descent.

Our most youthful populations are Māori and Pacific peoples, with a median age almost 20 years younger than that of New Zealand Europeans.

Auckland has been confirmed as one of the most diverse cities in the world, with the largest Pacific population and nearly two-thirds of New Zealand's Asian population living in the region.

Our country's growing ethnic diversity and citizenship is having an increasing affect on the foods we eat and

the sports we play, through to the cultural events celebrated throughout the country.

More than ever, these demographic changes present us with new opportunities to adapt, change mind-sets, challenge racism and promote harmonious relations.

Figures from the 2013 Census are available at:
www.stats.govt.nz/Census/2013-census.

Conversation on Constitution set to continue

Events and discussions took place across the nation as New Zealanders were asked their views on the future of our country's constitutional arrangements and how it can reflect our values and aspirations.

The Constitutional Review, led by a Constitutional Advisory Panel, provided a chance to look at the sets of rules determining how our country is run and how laws are made. The wide-ranging review also asked about the potential place of the New Zealand Bill of Rights Act and Te Tiriti o Waitangi in a constitution and sought views on electoral matters, including Māori seats in Parliament.

The Human Rights Commission looked at the human rights aspects of a constitution and consulted with communities. In its submission, the Commission advocated for New Zealanders to have the opportunity for a longer conversation on constitutional matters. It recommended a constitution be developed based on the Treaty and by the Treaty partners while also advising protection for the Treaty in New Zealand law. The Commission also called for the incorporation of all civil and political rights into the New Zealand Bill of Rights Act along with better protection of the economic, social, cultural and property rights of New Zealanders.

Alongside the official review, other groups came forward to debate aspects of Aotearoa New Zealand's future



constitutional arrangements. Aotearoa Matike Mai, an Independent Iwi Constitutional Working Group headed by Professor Margaret Mutu and lawyer Moana Jackson, held hui around the country to discuss how a constitution might be based upon the Treaty. Peace Movement Aotearoa facilitated discussion among those looking to explore values-based and Treaty-based constitutional arrangements. The Independent Constitutional Review Panel led by Dr Muriel Newman advocated for the removal of any reference to the Treaty or its principles in any constitutional document or legislation.

The Constitutional Advisory Panel considered the information and feedback it received from individuals and groups from across Aotearoa New Zealand and published its report in December 2013.² It recommended that the national conversation about constitutional change should continue and that the Government should support people to find out more about current arrangements and options for the future.

The Panel recommended that a national education strategy be implemented in schools and the community, focusing on civics, citizenship and the role of the Treaty. It also suggested that our current constitutional arrangements should be more easily accessible and

understood, and the Panel supported ongoing discussion over whether or not there was any merit in assembling our constitutional protections together in a single statute.

Affirming the central importance of the Treaty to Aotearoa New Zealand, the Panel also suggested that a process be set up to discuss and develop a range of options for the future role of the Treaty, including options within existing constitutional arrangements and arrangements in which the Treaty is the foundation.

The Panel also called for an investigation into how Māori representation in Parliament and local government decision-making might be improved. It recommended that options for amending The New Zealand Bill of Rights Act be explored including: adding economic, social and cultural rights, property rights and environmental rights; improving compliance with the Act; and strengthening the position of the Act in law.

The Government has yet to respond to the Panel's recommendations.

The submissions made to the Constitutional Advisory Panel and its final report are available at:
www.ourconstitution.org.nz.



My Dream for Aotearoa New Zealand is..

The Commission dedicated its annual Race Relations Day programme of events to helping people engage in the constitutional review. During 2013, a number of workshops and community events took place across the country asking people to articulate their dreams for the future of Aotearoa New Zealand. Of the many dreams shared, 1357 were collected and recorded. People said that they wanted Aotearoa New Zealand to be a place where people didn't experience discrimination because of their race. They wanted a government that reflected the needs of all communities. They wanted to feel safe in their homes and in public places and they wanted the many peoples of Aotearoa New Zealand to have a shared sense of belonging.

www.hrc.co.nz/tellusyourdream

Human Rights Commission
Te Kaitiaki Take Kōwhiri

NZ Diversity Action
Te Whiriwhiri Take Kōwhiri



Artist: Max Thompson



Whakawhanaungatanga ā iwi me te anga tika tangata ā taiao

Race relations and the international human rights framework

Aotearoa New Zealand has international obligations to promote human rights and eliminate racial discrimination. These include international treaties ratified by the Government and incorporated in international law. Aotearoa New Zealand must regularly report to the United Nations on the steps it is taking to meet its obligations.

New Zealand's progress on race relations assessed by CERD

The UN Committee on the Elimination of Racial Discrimination (CERD) regularly monitors how well countries are tackling racial discrimination and complying with international human rights treaties. In February 2013, it was Aotearoa New Zealand's turn to receive a report on its progress.

Summary of CERD's comments and recommendations³

What Aotearoa New Zealand is doing well

Aotearoa New Zealand is recognised as a multi-racial, multi-cultural nation that prides itself on the promotion of human rights and equal treatment for all citizens.

Civil society is active in promoting cultural diversity and racial equality.

There are many valuable programmes and strategies that raise awareness of racial discrimination, integration and tolerance.

Several Government initiatives aim to promote more equal economic and social outcomes for all New Zealanders, including in health, education and criminal justice.

Significant progress has been made in settling claims of historical breaches of the Treaty of Waitangi.

The role of Race Relations Commissioner is visible, accessible and makes a valuable contribution to the elimination of racial discrimination. CERD criticised Government proposals to modify the role, and recommended that the role of Race Relations Commissioner be retained.

Reference: Concluding observations of the Committee on the Elimination of Racial Discrimination: New Zealand (Geneva: Office of the High Commissioner for Human Rights, 2013) Available at: www2.ohchr.org/english/bodies/cerd/docs/co/CERD-C-NZL-CO-18-20_en.pdf.

Where Aotearoa New Zealand can do better

Adopt clear plans on how to monitor and combat racial discrimination and address the problem of incitement to racial hatred and violence on the internet.

Full consultation with Māori communities around all decisions affecting them, including the place of the Treaty in New Zealand's future constitutional arrangements.

Ensure Māori rights to land and resources, as protected by the Treaty, including rights to freshwater and geothermal resources, as well as intellectual and cultural property rights such as language, cultural heritage and traditional medicine.

Increase efforts to address inequalities in outcomes for Māori and Pacific peoples in the criminal justice system and in the fields of education, employment and health.

Preserve te reo Māori, Pacific languages and community languages.

Protect Asian migrants from discrimination, particularly in employment settings.

Ensure the fair treatment of asylum seekers.

Adopt a national action plan on human rights, including plans on how to combat racial discrimination.

The Commission recommends that strategies be established across all sectors including health, education, and justice to identify and address structural discrimination. These strategies should set specific timelines and targets and be monitored and reported on regularly.

Human Rights Commission's submission to the Universal Periodic Review

CERD received information from the New Zealand Government and the Human Rights Commission as well as feedback from a range of NGOs and community organisations. It noted Aotearoa New Zealand's efforts to promote non-discrimination, racial equality, cultural diversity, and indigenous rights.

Action plan on human rights takes shape

Every four years, countries that belong to the United Nations are asked to declare what they are doing to improve human rights. This process is called the Universal Periodic Review (UPR). In 2013, it was Aotearoa New Zealand's second opportunity to participate in the UPR process and have its human rights record assessed.

The United Nations Human Rights Council received submissions from the New Zealand Government, the New

Zealand Human Rights Commission and from NGOs and civil society.⁴ The level of civil society participation in the review process was significantly greater than during New Zealand's first UPR in 2009.

The Commission's submission, informed by public consultation, made 20 recommendations. These included recommendations calling for policy and legislation to be informed by a human rights approach; the systematic collection of data relating to groups vulnerable to discrimination, addressing inequalities in health, education and justice and the reduction of child poverty, violence, and inadequate housing.

The Commission also called for the Government to fully protect and promote indigenous rights in law, policy and practice, and to provide greater recognition of the Treaty in Aotearoa New Zealand's constitutional arrangements.

In its report to the Universal Periodic Review, the New Zealand Government set out its key human rights priorities:

1. Strengthen the partnership between Government and Māori by continuing to support Māori to realise their potential and continuing the momentum on achieving fair, just and durable settlements of historical claims under the Treaty of Waitangi.
2. Improve the protection of children against abuse and neglect.
3. Reduce violence within families and its impact on women and children.
4. Continue the ongoing implementation of the Convention on the Rights of Persons with Disabilities (including adopting the Optional Protocol and the New Zealand Disability Strategy).
5. Advance the Constitutional Review process.
6. Ensure any human rights impacts of the Canterbury earthquakes are accounted for in the ongoing decisions around the rebuild.

The United Nations Human Rights Council reviewed the information it received, announcing its recommendations at a meeting in Geneva in January 2014. The Council praised Aotearoa New Zealand's ongoing commitment to improving the realisation of rights for all people and said that there was much to learn from the New Zealand experience. It also made over 100 recommendations for Aotearoa New Zealand to act on.

The recommendations related to race relations include putting clear measures in place to prevent racial discrimination and inequality of outcomes in health, education and criminal justice, as well as eliminating pay gaps across all groups and ethnicities.

There were strong calls for Aotearoa New Zealand to do more to advance the human rights of Māori and to implement the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP). Several countries also called for ongoing consultation over New Zealand's future constitutional arrangements and the place of the

Treaty, reinforcing the recommendations made by the Constitutional Review Panel in 2013.

The UPR recommendations also emphasised the need for Aotearoa New Zealand to take steps to address child poverty, prevent violence against women and children and to limit discrimination in the aftermath of the Canterbury earthquakes. Other recommendations included steps to strengthen the human rights of New Zealanders by adopting new national and international laws and protocols.

It is anticipated that the Government will respond to the United Nations Human Rights Council about the UPR recommendations in May 2014.

The Government has committed to work with the Commission, NGOs and civil society to develop Aotearoa New Zealand's second National Plan of Action for the Promotion and Protection of Human Rights. The plan will be directly informed by the Universal Periodic Review process.

The Human Rights Commission will lead and coordinate the development of the plan. This will not be a plan for the Commission; instead it will be a plan for all of Aotearoa New Zealand containing actions that the Commission, Government, communities and wider society will take to improve the realisation of rights and freedoms for all people in our country.

You can find out more about the UPR and read the full list of recommendations at: www.hrc.co.nz/UPR.

Preparing for international human rights events in 2014

The next United Nations World Conference on Indigenous Peoples will be held in New York in 2014. Commissioner Karen Johansen and Kaiwhakarite Te Huia Bill Hamilton attended a Pacific preparatory meeting which brought together representatives of indigenous peoples from across the Pacific region. Indigenous rights issues and strategies in the Pacific were discussed and delegates agreed key topics that would be tabled for discussion at the World Conference.

Commissioner Johansen was also invited to speak at the Galdu Research Centre on the Rights of Indigenous Peoples at its 10 year anniversary seminar in Norway. The Centre is dedicated to increasing the knowledge and understanding of Sami and other indigenous peoples' rights. Commissioner Johansen spoke about the efforts being made in Aotearoa New Zealand to advocate for the rights of indigenous peoples.

In 2014, Aotearoa New Zealand will submit its sixth report on the implementation of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment (CAT). The United Nations Committee on the Rights of Persons with Disabilities will also consider New Zealand's first report, submitted in 2012.

Declaration on the Rights of Indigenous Peoples

Māori, as the indigenous people of Aotearoa New Zealand, face unique challenges many of which are shared by indigenous peoples around the world. In order to address the marginalisation and discrimination of indigenous people, their individual and collective rights are set out in the United Nations Declaration for the Rights of Indigenous Peoples (UNDRIP).

The UNDRIP provides an internationally agreed framework for protecting and managing indigenous rights. It recognises the right of Māori to land, natural resources, culture, values and traditions as well as the right to pursue their development in keeping with their own needs and aspirations. Many articles of the UNDRIP intersect with the articles of the Treaty, providing scope to support the Treaty and strengthen its role in upholding indigenous rights.

During 2013, the Commission promoted public awareness of the UNDRIP, through facilitated discussion and advice for whānau, hapū, iwi and government agencies on ways to implement it in policy and practice. The Commission is also engaging with iwi leaders about developing a monitoring mechanism to ensure the New Zealand Government's commitment to the UNDRIP is translated into action. The need to promote the UNDRIP was also backed up by the United Nations in its Universal Periodic Review report (January 2014) which recommended that Aotearoa New Zealand do more to ensure that the UNDRIP is implemented.

The Commission's Tūhonohono project continued to work closely with Māori communities to build human rights capacity and leadership. In 2013, the project focused on communities in Kaitiāia, Hokitika, Wairoa and Queenstown supporting Tangata Whenua to incorporate human rights

Te Whakapuakitanga o te Rūnanga Whakakotahi i ngā Iwi o te Ao mō ngā Tika o ngā Iwi Taketake



into their everyday lives. In Wairoa, the community marked the first year of its 2040 Reorua vision – a commitment to protecting the right to language by becoming a fully bilingual town by 2040.

To raise awareness of the UNDRIP and its relationship to the Treaty, the Commission produced a poster in collaboration with Te Wānanga o Aotearoa. The poster is designed by Te Wānanga o Aotearoa tutor Rongo Tuhura and incorporates artwork by students, Patrick Sullivan, Antonette Brighton and Brigitte Salzman. The poster is available in te reo Māori and English.

Businesses urged to respect indigenous rights

Business interests in mining and water have implications for the rights of Tangata Whenua as indigenous people. These include the right to have their heritage and relationship to the environment protected, as well as to pursue their own priorities in economic, social and cultural development.

Confronted with commercial plans for mining, gas exploration and commercial use of water, some hapū and iwi are challenging what is happening in their rohe.

They are using human rights treaties and declarations, specifically the Treaty and the UNDRIP to support their submissions.

In March 2013, the people of Parihaka sent a written statement to the United Nations, energy and gas corporations and the Government, declaring their displeasure and non-consent to the mass expansion of exploratory surveying and drilling around their papa kainga and coastal reserves.

Ngāti Haua Whānui took action against plans for oil and gas drilling near Mount Taranaki and Ngāti Hau led protests opposing exploration for gold and silver in the Puhipuhi Hills. Ngā Ariki Kaiputahi and Te Whānau-a-Apanui also raised ongoing concerns about exploration for oil and gas off the East Coast of the North Island.

The conflict between commercial interests and protecting indigenous rights is reflected internationally. In an effort to make sure that businesses exercise social responsibility and respect human rights, the United Nations introduced the Guiding Principles on Business and Human Rights in 2011.⁵

Also known as the Ruggie Principles, they inform businesses on how to operate within a human rights framework and to respect the communities they operate in.

To complement the Ruggie Principles, in 2013 the United Nations consulted on draft international guidelines to support respect of indigenous people's rights by the private sector.⁶

The Commission continues to work alongside Tangata Whenua to push for government and businesses to fulfill their responsibilities and meet these international principles.

If you want to find more about indigenous rights and how to apply them, contact treaty@hrc.co.nz.



Artist: Rebecca Kereopa

Mahi rerenga kētanga

Action on diversity

Ethnic diversity inspires hundreds of exciting events

In 2013, positive race relations were promoted by dedicated individuals and groups taking action to foster harmony and celebrate different cultures. Thanks to their energy and commitment, Aotearoa New Zealand's vibrant diversity was reflected in many community events and activities throughout the country.

Participation in the New Zealand Diversity Action Programme continued to flourish. Two hundred and fifty two local, regional and national organisations delivered over 740 diversity projects including cultural performances and festivals, educational workshops, family days, sports and outdoor education programmes, interfaith dialogues and migrant support programmes. Organisations participating in the programme included Māori and Pacific groups; as well as other ethnic and multi-ethnic community groups; faith groups, schools, local and central government; libraries and museums; businesses and refugee and migrant support organisations.

Key dates such as Waitangi Day, Chinese New Year, Race Relations Day, Matariki and Diwali continued to be important platforms for promoting community cohesion.

Manawatū Multicultural Council and Nelson Multicultural Council both celebrated 20 years of supporting local communities. Across the country, affiliates of the New Zealand Federation of Multicultural Councils held lively and popular events including regional festivals and celebrations in Southland, Timaru, Dunedin, Christchurch, Marlborough, Tauranga, Auckland and Whāngārei.

The Office of Ethnic Affairs organised EthnicA conferences in Christchurch, Auckland and Wellington, enabling groups to engage in cutting-edge debate on leadership and cultural diversity. A conference on racism was hosted by the Auckland Ethnic Peoples Advisory Panel with around 200 people meeting to discuss how racism impacts on Auckland's ability to be a diverse and inclusive city.

Outward Bound Trust marked its 10th year of running the *Southern Cross: Connecting Kiwi Cultures* programme. Edwina Pio from Auckland University of Technology's Business and Law School became Aotearoa New Zealand's first Professor of Diversity, due to her research into ethnic and religious diversity in the workplace.

Detailed information on the organisations that participated in Te Ngira, the New Zealand Diversity Action Programme, and the activities held in 2013, is available at: www.hrc.co.nz/race-relations/nzdiversity.

Young people take the lead at Diversity Forum

Each year, the New Zealand Diversity Forum provides a valuable opportunity for organisations to meet together to share ideas and good practice in the areas of race relations, human rights and cultural diversity. The 2013 Forum, held in Wellington, covered topics such as religion and the media, inequalities in health and criminal justice, diversity in government, leisure and sport, addressing family violence, supporting newcomers, and rangatiratanga and human rights.

Principal partners in the forum were the Commission, the NZ Police, the NZ National Commission for UNESCO, and the MSD Settling In Programme.

For the first time, Islam Awareness Week was launched in conjunction with the Diversity Forum. The launch, attended by the Mayor of Wellington, MPs, ambassadors and guests, marked the start of a week of activities organised by the Federation of Islamic Associations of New Zealand (FIANZ) to increase awareness of Islamic beliefs, values and practices. Harmony Awards, which recognise efforts to build strong relations between Muslims and non-Muslims, were given to several recipients including Joris de Bres, former Race Relations Commissioner and Keith Locke, former Member of Parliament.



A highlight of the Diversity Forum was an inspiring presentation by sixty young people from across the country who participated in the National Youth Forum on Cultural Diversity. Speaking passionately about their own experiences as young New Zealanders, they called on national decision makers to take action on several priority areas including:

1. reducing poverty
2. ensuring better outcomes in health and education
3. upholding the right to culture
4. eliminating discrimination
5. increasing political awareness amongst young people.

Outstanding contributions recognised at Diversity Awards

Nine organisations making an outstanding contribution to promoting cultural diversity and harmonious race relations were recognised at the New Zealand Diversity Awards.

Award recipients for 2013 included:

1. **Araiteuru Marae** for providing support to kaumātua, kuia and whānau and promoting intercultural dialogue and co-operation in Dunedin.
2. **Community and Public Health** (a division of the Canterbury District Health Board) for efforts to ensure earthquake and recovery related information

successfully reached culturally and linguistically diverse (CALD) communities.

3. **ETHKICK13 Committee** for hosting football tournaments bringing together ethnic communities in Palmerston North.
4. **New Zealand Catholic Bishops Committee for Interfaith Relations** for promoting interfaith relations and fostering collaborations with believers of other world religions in Aotearoa New Zealand.
5. **New Zealand Federation of Historical Societies** for the promotion of the histories of ethnic groups and enabling various communities to share their heritage and history.
6. **Refugee Trauma Recovery** for providing counselling and advocacy services for refugees who have experienced torture and trauma, as well as creative events for refugee families and the wider community.
7. **Te Roopu Awhina O Wairoa Trust** for nurturing community teaching of te reo Māori, tikanga Māori, hauora, and traditional arts and crafts.
8. **The Peace Foundation** for promoting peaceful conflict resolution and mediation in schools and families.
9. **Voice Arts Trust** for delivering innovative and creative community development projects through theatre and film.

Dreams for the future shared on Race Relations Day

New Zealanders shared their dreams for the future of Aotearoa New Zealand during this year's Race Relations Day commemorations.

Race Relations Day, held each year on 21 March, is the International Day for the Elimination of Racial Discrimination. In Aotearoa New Zealand it has become a key date in the calendar for recognising and celebrating cultural diversity and taking a stand against racism and racial inequality. This year's theme was *My dream for Aotearoa New Zealand*.

The Commission recorded 57 separate community events taking place in the days around Race Relations Day. Events included multicultural festivals, food and music events, concerts, symposiums and panel discussions, displays at libraries and museums, street art, sporting tournaments, and friendship events between different ethnic societies and faith groups. In addition, many schools participated through special assemblies, multicultural dress or food days and classroom activities.



© Tom Mackintosh Photography

Naomi's dream: "I want to live amid a diversity of sight, sound and colour"

This is the hope of Naomi Kumar, the winner of the Race Unity Speech Contest 2013.

2013 was the thirteenth year of the Race Unity Speech Contest which offers senior high school students the opportunity to share their views on racial harmony in Aotearoa New Zealand. The contest is organised by the New Zealand Baha'i Community and supported by the New Zealand Police, the Office of Ethnic Affairs and the Human Rights Commission.

This year students were invited to reflect on the theme for Race Relations Day 2013 and speak about "My Dream for Aotearoa New Zealand".

One hundred and thirty-five students entered with heats held in 12 regions across New Zealand and included speeches delivered in te reo Māori and English.

Naomi, a 17-year-old student at Hillcrest High School, Hamilton, spoke about her dreams for a more inclusive Aotearoa, a place where "difference need not be feared, but embraced".

"In the future I envision we are not defined by our ethnicity. We are enriched by it, certainly. But it is never a measure of our value as individuals. We are instead defined by our responsibilities to this world as persons, by our shared convictions and dreams of happiness, and how well we can work together to achieve that."

You can view Naomi's winning speech at : www.hrc.co.nz/race-relations/raceunity.



Attitudes toward Asians become more positive

A report by the Asia New Zealand Foundation, *New Zealanders' perceptions of Asia and Asian peoples: 1997–2011* shows that New Zealanders' attitudes to Asian immigration and immigrants have become more positive over time.⁷

The report captures the changes that have occurred over 15 years since the Asia New Zealand Foundation first began to analyse public opinion towards Asia and Asian peoples in 1997.

In the late 1990s, the average proportion of New Zealanders who rated Asian immigration as positive or very positive was 31 per cent. However, by 2011, this had increased to 55 per cent. Most New Zealanders agreed that Asian people contributed significantly to our economy and brought valuable cultural diversity to Aotearoa New

The Taniwha and the Dragon: ancient and modern bonds



Māori and Chinese cultural bonds were celebrated at a pōwhiri and festival hosted by Ngāti Whātua o Orākei and Auckland Chinese community leaders. The inaugural Taniwha and Dragon Festival was an extravaganza of cultural experiences including kapa haka, dragon dances, traditional foods and the flying of traditional Māori and Chinese kites.

The festival was followed later in the year by a Taniwha and Dragon cross-cultural concert arranged by the Music Association of Auckland and Te Pou Whakairo Kapa Haka group. The Taniwha and Dragon initiative emphasised the ancient genetic bonds which unite Māori and Chinese. It

also highlighted contemporary bonds such as a shared experience of discrimination in Aotearoa New Zealand and a commitment to building understanding of cultural differences.

The festival was an opportunity to reflect on the burgeoning business links between Māori and Chinese, as Māori consider options for investing and developing iwi assets alongside the growing influence of Chinese investors and business experts.

Speaking about the Taniwha and Dragon Festival, Māori Affairs Minister Dr Pita Sharples said "The new millennium sees Māori people connecting with Chinese people in many ways, through trade and business, via cultural and educational exchanges, and as citizens of the global environment. All of these things should be based on building strong relationships between our people and communities".⁸

Zealand. However, some still believed that Asian people could do more to learn about New Zealand culture and Māori, in particular, continued to express concern about the arrival of Asian immigrants.

Growing contact between non-Asian and Asian New Zealanders has played a crucial role in contributing to positive attitudes. This is backed up by research that shows that the more contact there was, the more positive the attitudes expressed.

By 2021, it is estimated that Asians will make up 16 per cent of the Aotearoa New Zealand population and almost 30 per cent of the population of Auckland. Asia and Asian people are part of Aotearoa New Zealand's present and future and it is welcome news that there is a significant and growing level of acceptance.



Artist: Rebecca Terborg

Whakahāweatanga me te nonotitanga

Discrimination and harassment

Is Aotearoa New Zealand a racist country? In April 2013, TV3's national debate programme *The Vote* posed this question to its viewers, inviting them to register their opinion. Of those that voted, 76 per cent said "Yes".

Racial discrimination and harassment can take many forms. Confronting it requires bravery, resilience and a commitment to equal treatment for all people.

Asian peoples and Māori most likely to experience discrimination

Aotearoa New Zealand has comprehensive laws, policies and practices in place to prevent discrimination and promote equality. Nevertheless, discrimination remains a reality for certain groups of people.

Almost one out of every ten New Zealanders (9.6 per cent) experienced discrimination in the last 12 months, according to the latest New Zealand General Social Survey.⁹ The survey, which assesses the wellbeing of New Zealanders aged 15 years and over, asked people if they felt they had been treated unfairly or had something nasty done to them in the last year because of the group they belonged to or seemed to belong to. This included being treated unfairly because of their age, skin colour, family status, sex or because of a disability or health issue.

The survey found that the highest rates of discrimination were reported by those in sole parent families (14.3 per cent), recent migrants (15.1 per cent), Māori (15.7 per cent) and Asian peoples (15.8 per cent).

Complaints to the Human Rights Commission

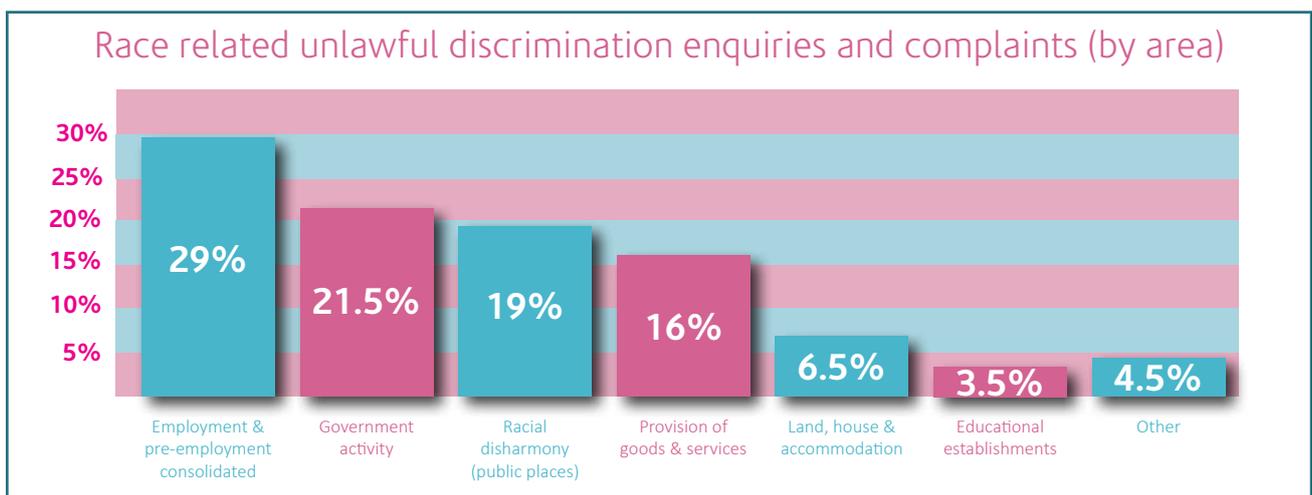
Racial discrimination continued to be the most common form of unlawful discrimination reported to the Human Rights Commission, with 496 racial discrimination complaints received in 2013. Those complaints made up almost one third (30.5 per cent) of all unlawful discrimination complaints received by the Commission during the year, a pattern which has changed little over the last decade.

Employment settings

As in previous years, most race-related complaints (29 per cent) referred to unlawful discrimination in employment settings, either while at work or when seeking employment.

Around a third of these were to do with racist bullying or harassment in the workplace. This was closely followed by complaints about pre-employment practices, in particular regarding employers who were perceived to be deliberately excluding job applicants of certain ethnicities.

Other complaints included being treated unfairly or having lesser/less advantageous working conditions compared with others, and failure to have cultural needs accommodated in the workplace.



Government

A significant number of complaints (21.5 per cent) related to unlawful discrimination by government. This included actual or perceived discrimination by agencies or individuals in their application of legislation, policy or practice, in areas such as education, local government, health and justice.

As in previous years, the largest number of complaints related to education establishments, which received more than twice the number of complaints of alleged unlawful discrimination than any other sector. A number of complaints were also made about actions by local councils, police, prisons and health services. A lesser number were in areas such as welfare benefits and housing support.

Most complaints (70.5 per cent) came from people who felt they had been treated less favourably based upon their race, ethnicity, national origins or colour; while 16 per cent related to racial harassment or bullying. Other complaints related to failure to accommodate language or cultural needs.

A small number of complaints were also received from non-Māori people who felt that specific programmes or policies which engaged with and strengthened Tangata Whenua were discriminatory, despite the fact that such initiatives were affirming a particular cultural identity, not diminishing or subjugating another.

Provision of goods and services

Complaints to do with the provision of goods and services made up 16 per cent of race discrimination complaints. Complainants said that they had been treated unfairly, stereotyped or harassed in retail situations or when accessing services. Of these around a quarter said that they had been excluded from receiving goods or services on the basis of their race, ethnicity or colour. The largest number of alleged unlawful discrimination complaints related to incidents when using health services (such as hospital and doctor visits), closely followed by incidents in supermarkets and bars/nightclubs.

Racial disharmony

Complaints related to abusive, derogatory or offensive words used in a public place* made up nineteen percent of race discrimination complaints.

Cartoons published in *The Press* and *Marlborough Express* about free school meals resulted in a very high number

of complaints. Fifty-nine people contacted the Commission regarding the cartoons' alleged negative stereotyping of Māori and Pacific people and in response to comments made after the cartoons were published.

Material published on Facebook, websites and blogs was a major source of complaints, with online media generating more than double the complaints of traditional media such as television, radio and newspapers (not including the cartoons complaints above).

* **Note:** For such comment to be unlawful under section 61 of the Human Rights Act, it needs to cause or excite hostility against groups of people, or bring them into contempt, because of their race, colour, or ethnic or national origin. A complaint of exciting racial disharmony must be balanced against the right to freedom of expression.

Significant events which led to race-related complaints

There were several key incidents during the year that prompted a number of people to contact the Commission. While these events were not categorised as being perceived or actual unlawful discrimination, they provoked discussion and debate around race relations.

Offensive material about Chinese and Jewish people left in mailboxes and posted online generated 31 complaints. While the actions did not meet the threshold for unlawful discrimination or inciting racial disharmony, the Commission worked with the Police to monitor the activity and support the communities affected. The distribution of such materials is a problem the Commission has seen resurface regularly over the years. The materials, distributed by small groups of individuals, left people feeling upset, angry and threatened.

Comments made by a Danish politician, Marie Krarup, were met with international outrage when she mocked a Māori welcome to Aotearoa New Zealand, dubbing the pōwhiri an "uncivilised" ritual, and marae a "grotesque" mark of multicultural worship. Her comments, and the response to the comments, were the subject of 41 complaints.

The Commission also received 23 complaints after remarks made by NZ First MP Richard Prosser were considered to be "anti-Muslim" when published in *Investigate* magazine. The reaction to Mr Prosser's comments as well as the cartoons about free school meals are discussed in more detail in the Media chapter.

Do you have a human rights enquiry or complaint? Find out how you can speak with us or submit a complaint online at: www.hrc.co.nz/complaints.

Office of Human Rights Proceedings

In 2013, the Office of Human Rights Proceedings received 10 applications for legal representation relating to complaints about race, ethnic and national origins or racial harassment. Two complaints were referred back to the Commission for mediation. The Director declined to provide representation to four applicants and the remaining four are waiting for a decision.

Decisions on three applications received in 2012 were also released. The Director declined to provide representation to these applicants.

Three matters that were referred back to the Commission for mediation in 2012 resulted in requests for the Director to re-activate the applications for legal representation after mediation failed. One applicant was declined representation. One applicant issued proceedings in the Human Rights Review Tribunal and the matter was subsequently settled with assistance from the Director. The Office of Human Rights Proceedings issued proceedings in the Human Rights Review Tribunal on behalf of one applicant.

Human Rights Review Tribunal

The Human Rights Review Tribunal concluded two race-related cases in 2013.

The first (*Peters v Wellington Combined Shuttles* [2013] NZHRRT 21) related to an allegation of racial discrimination made by the former employee of a taxi company. The Tribunal concluded that it had no jurisdiction to hear the case and proceedings were dismissed.

The second (*Meek v Ministry of Social Development* [2013] NZHRRT 28) involved claims that the plaintiff had been denied financial assistance by the Ministry of Social Development because he was not Māori. The Tribunal concluded that there was no evidence of discrimination by reason of race or ethnicity. The proceedings were dismissed.

The Office of Human Rights Proceedings was not involved in either hearing.

Taxi drivers a target for racial abuse

Taxi companies admitted that racial abuse was not uncommon after a passenger was caught on video abusing a Pakistan-born taxi driver following a night out in Invercargill. The passenger was given a formal warning by police following the abuse, which was filmed and

posted on the Internet. The taxi driver was praised for his professional manner during the offensive behaviour and for his courage in reporting the matter.

Only a few weeks later a Christchurch man was charged with assaulting an Indian taxi driver. The driver said he was racially abused and feared for his life. Alarming, one driver who was seriously injured after a brutal and violent racially-motivated bashing in Tauranga said that race-based abuse is a fact of life in the taxi industry.

A Napier woman was convicted after hurling racial abuse at a taxi driver before assaulting him and attempting to take his car. The court heard that the driver was bombarded with a tirade of racial insults, punches and slaps. A judge sentenced the woman to 100 hours community work, saying that taxi drivers should be able to ply their trade without abuse.

Cameras installed in taxis have helped to limit abuse. However, drivers are still regularly faced with racially offensive language, harassment and violence.

In 2013, the Commission received five complaints about racist comments toward taxi drivers.

Mokomoko Bill restores mana

The passing of the Mokomoko Bill in December 2013 marked the end of a long journey for descendants of Te Whakatōhea rangatira, Mokomoko, who was executed in the 1860s for his alleged role in the murder of Reverend Carl Sylvius Volkner. Mokomoko received a pardon in 1992 for the murder he never committed. The Bill promised to restore the character, mana, and reputation of the rangatira and to restore the Crown's relationship with the Mokomoko whānau.



Pita Biddle, Chief Mokomoko's descendant, pictured at Waiaua Marae near Opotiki. © APN/A Gibson

Young Chinese migrants show resilience

A survey from the Mental Health Foundation¹⁰ showed that most Chinese “generation 1.5ers” (migrants who arrived between the ages of six and 18 years) were happy living in Aotearoa New Zealand despite facing bullying, name calling, intimidation, language struggles and lack of acceptance during their first few years here. The survey revealed that mental resilience and parental support were key to overcoming the challenges faced by young Chinese migrants.

Shopper fined for telling woman to remove burqa

A shopper was found guilty of offensive behaviour after shouting at a foreign student in a Dunedin supermarket, telling her to either take off her burqa or leave New Zealand. The student was left feeling shaken and scared. Onlookers were shocked by the incident, which the police prosecutor described as “morally repugnant”.

Operation Eight trampled basic rights

In December 2013, the Human Rights Commission released a report on Police actions during Operation Eight stating that the human rights of innocent people had been neglected.

The Commission’s report followed an investigation by the Independent Police Conduct Authority (IPCA) which found that police had acted unlawfully during Operation Eight, an investigation into the activities of a group of people who were alleged to be involved in military-style training camps within the Urewera Ranges.

Operation Eight, which took place between 2005 and 2007, included the execution of 41 search warrants, armed police arrests and the establishment of road blocks at Ruatoki and Tāneatua. The IPCA investigation concluded that police illegally stopped vehicles, detained people in their homes and took their photographs.

The Commission received 31 complaints about Police actions, raising serious concerns about human rights issues such as the right to be free of unreasonable search and seizure and the right to freedom of movement. Complaints included being stopped at the roadblock at Ruatoki and photographed without consent, the negative implications of using the Terrorism Suppression Act, and the impact on children confined for several hours, some without food.

The Commission’s report concluded that, during Operation Eight, innocent people had their basic rights trampled. It recommended that steps be taken to ensure the future protection of the human rights of innocent people and to prevent unnecessary trauma.

Airline refuses to hire applicant with tā moko

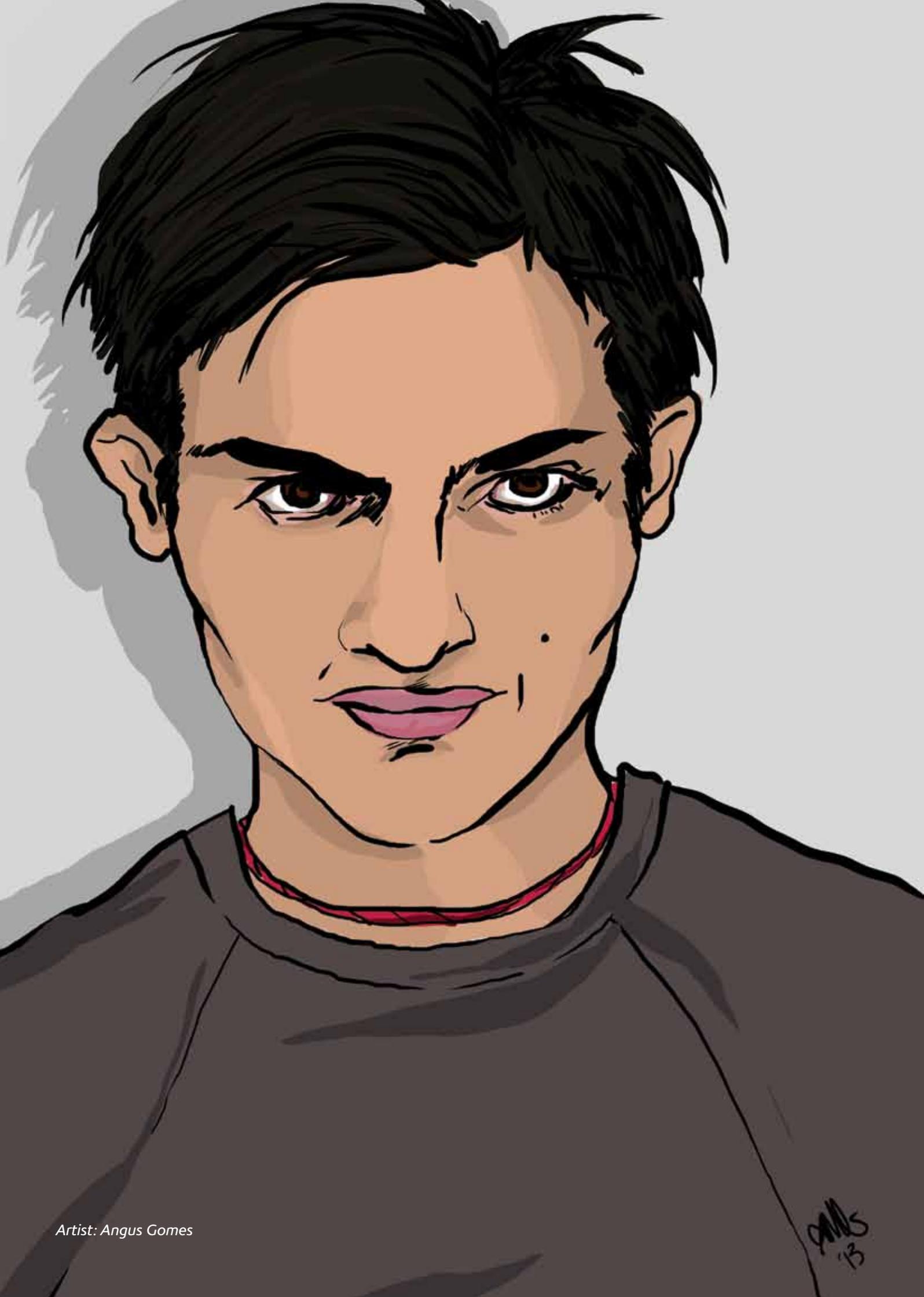
An aspiring flight attendant of Māori descent was refused a job with Air New Zealand because she had tā moko, a traditional tattoo, on her arm. The airline defended its policy against visible tattoos, saying tattoos could be considered frightening to some cultures.

Traditional moko is an expression and celebration of Māori culture and identity. The Human Rights Commission regularly receives complaints when Māori who wear moko have been denied employment, entry to premises, or declined service because of a ban on tattoos.



Since 2007, Police have made changes to their processes and reviewed the policy for dealing with children and vulnerable people when executing search warrants. Over recent months substantial progress has also been made in repairing the relationship between Police and Tūhoe leadership.

To read the Commission's full report on Operation Eight go to: www.hrc.co.nz/2013/op8.



Artist: Angus Gomes

ANG
13

Tauriteritekore

Inequalities

Aotearoa New Zealand regularly ranks as one of most liveable and peaceful countries in the world. Yet despite a strong reputation for social justice and continuing attempts to eliminate disadvantage, inequalities persist; particularly for Māori, Pacific and other minority ethnic groups.

Spotlight on child poverty

One in four children in Aotearoa New Zealand live in poverty — an alarming disparity which has put the issue of child poverty firmly under the spotlight.

New Zealand's first *Child Poverty Monitor*¹¹, launched in 2013 by Otago University and the Children's Commissioner, revealed that child poverty affects around 265,000 children. Over half of them are Māori and Pacific children, with Māori and Pacific families more likely to face severe or persistent levels of poverty.

For children living in poverty it means going to school hungry; living in cold, damp and overcrowded houses; lower educational achievement; and poorer health. It also means missing out on healthy food, doctor's visits and important social opportunities such as school outings, birthday parties and playing sports.

A 2013 UNICEF report, *Kids Missing Out*, stated that child poverty in Aotearoa New Zealand was resulting in children's rights not being met.¹² The United Nations Committee on the Rights of the Child has said more needs to be done to address the inequities faced by Māori and Pacific children and children living in deprived areas in Aotearoa New Zealand.

During 2013, the Office of the Children's Commissioner, the Child Poverty Action Group (CPAG) and other child advocacy groups provided compelling evidence that reducing poverty should be at the heart of all government plans for children. Submissions to the Vulnerable Children Bill and Children's Action Plan argued that poverty reduction is an essential step toward breaking cycles of child maltreatment, abuse and neglect. There was also a strong emphasis on the need for policies and programmes that are formulated and implemented with the involvement of Māori and Pacific communities and which take Māori and Pacific ideals and values into account. Initiatives such as Whānau Ora were seen as examples of good practice in this area. Other proposed solutions included increasing

the capacity of the health, education and social care workforce to deliver culturally responsive services.

As part of its campaign to tackle child poverty, CPAG took a case to the Human Rights Tribunal challenging the Government's in-work tax credit, saying it discriminated against beneficiaries.¹³ The challenge was the subject of a hearing in the Court of Appeal in May 2013. CPAG was represented by the Office of Human Rights Proceedings (with the Human Rights Commission intervening). CPAG argued that the credit, which applies only to working parents, not those on a benefit, was unjustified discrimination on the ground of employment status. The Court of Appeal dismissed the appeal saying that while the rule subjected beneficiaries to different treatment amounting to a material disadvantage, it could be justified under the New Zealand Bill of Rights Act. CPAG said that while it was pleased the court had agreed the in-work tax credit had a discriminatory impact, the effect of the rule was continuing to harm the poorest children in society.

The *Child Poverty Monitor* indicates that the fundamental cause of child poverty in Aotearoa New Zealand is that some parents, including those working, simply do not have enough income to provide adequately for their children. A recent vulnerability report from the New Zealand Council of Christian Social Services indicated that low-income families increasingly cannot provide for even the basics as their weekly incomes fall further behind the rate of inflation.¹⁴ Confronted with rising rent and energy bills many basic necessities are being traded-off, such as nutritious food and visits to the doctor.

The Children's Commissioner repeated calls for an action plan on child poverty to include clear targets and monitoring. The Children's Commissioner's Expert Advisory Group (EAG) on Solutions to Child Poverty released a progress paper on recommendations it made in December 2012. The EAG said that while good work was underway, urgent steps needed to be taken to create a comprehensive child poverty strategy, address income poverty and improve access to affordable, good quality housing and to healthcare.¹⁵

These views were echoed by the United Nations in its 2014 Universal Periodic Review report which

recommended Aotearoa New Zealand prioritise child poverty in its national plan of action on human rights.¹⁶

The Government will be asked what it is doing to address child inequalities when it next reports to the United Nations Committee on the Rights of the Child in 2015.

Addressing inequalities in the criminal justice system

Māori remain disproportionately represented in the criminal justice system, as both offenders and victims. These inequalities are long-standing and complex and have been identified by both the United Nations Committee on the Elimination of Racial Discrimination (CERD) and in New Zealand's Universal Periodic Review as a major concern.

The Government has demonstrated a commitment to tackling these entrenched inequalities. For example, in 2009 it adopted *Addressing the Drivers of Crime*, an initiative to address the underlying causes of criminal offending and to share responsibility across a range of government agencies and service providers. Court statistics show that in the last 5 years the number of children and young people charged has decreased by 45 per cent.¹⁷

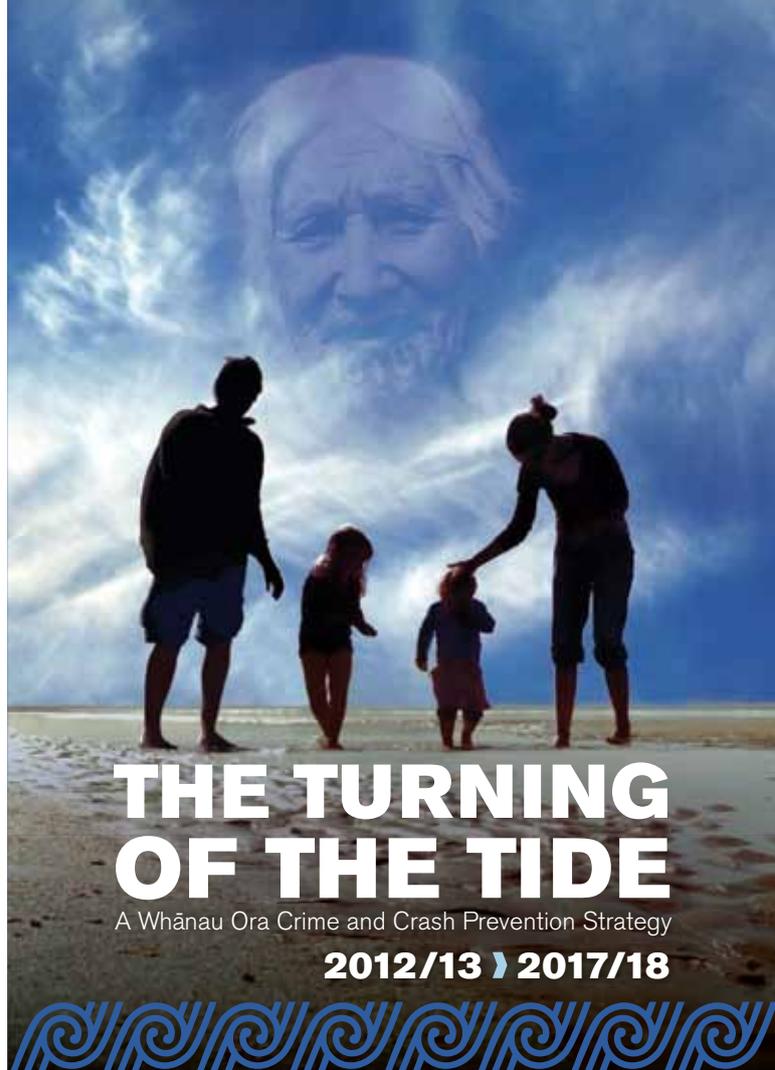
Iwi and Police are also joining together to implement an innovative strategy aimed at reducing Māori victimisation, offending, road fatalities and injuries. *The Turning of the Tide – a Whānau Ora Crime and Crash Prevention Strategy* was launched in 2012.¹⁸ The strategy draws on crime and crash reduction plans prepared by Ngāti Whātua, Te Arawa and Ngāpuhi and aims to ensure that all Māori live full and prosperous lives, free from crime and road trauma.

Building on these two initiatives, the Government launched its *Youth Crime Action Plan* in October 2013. This 10-year plan has an emphasis on outcomes for Māori young people and seeks to reduce crime and help those who offend to turn their lives around.

Ngā kōti rangatahi: a revolution in youth justice

Rangatahi Courts have been established to address discrimination and reduce the disproportionate involvement of young Māori in the youth justice system by linking Māori young offenders with their culture and the local Māori community. The first Rangatahi Court was set up in 2008. Since then nine more have been established, along with two Pasifika Youth Courts.

The Rangatahi Court process focuses on those young people who admit their offending and who have an appropriate family group conference plan in place. It aims



to ensure this plan is completed and the young person, their family and community are empowered and supported to fulfil the actions in the plan.

The 2013 report *Evaluation of the Early Outcomes of Ngā Kōti Rangatahi*¹⁹ endorses the success of Rangatahi Courts in strengthening relationships between youth justice professionals, rangatahi, whānau and marae communities. It also shows an increase in positive attitudes and improved behaviour among Māori youth offenders.

At a national hui on the future of the youth justice system, Judge Andrew Becroft praised Rangatahi Courts describing them as a revolution in youth justice and a step towards developing a more culturally appropriate response for dealing with Māori offenders.²⁰ Around 300 people attended the hui at Ōrakei Marae to discuss the outcome of the evaluation of these courts. Those attending the hui said that the report had contributed to a groundswell of enthusiasm for building on the success of Rangatahi Courts.

Māori and Pacific education strategies renewed

Inequalities in educational achievement continue to be highest for Māori and Pacific students and students from the lowest socio-economic groups. However, concerted

efforts to reduce these gaps have seen the achievement of Māori and Pacific secondary students increase across some areas over the last year. Also, the number of Pacific and Māori children participating in early childhood education has risen significantly since 2000 (by 12.8 and 9.2 per cent respectively).²¹

Two major Ministry of Education strategies to improve educational opportunities for Māori and Pacific learners were reinvigorated. *Ka Hikitia, the Māori Education Strategy* was reviewed for 2013–2017, with revised goals to realise the potential of every Māori student. The *Pasifika Education Plan 2013–2017* set out new goals for raising Pacific learners' participation and achievement from early learning through to tertiary education. Both strategies set out objectives for schools to: promote Māori and Pacific achievement; work with families to identify ways of bringing students' identity, language, and culture into school life; and to track how well Māori and Pacific students are doing towards achieving National Standards.

Other attempts by schools to boost educational success for disadvantaged students included programmes to give healthy and nutritious food to hungry students; providing health and welfare services in schools; and efforts to increase the number of high quality teachers in low-decile schools.

Crowded houses lead to hospital admissions

Good health relies on having a safe, comfortable place to live, eating nutritious food and being able to access health care services. Unequal access to these basics can take years off your life.

The extent of the inequalities on the population's health was identified in a significant new study by Otago University which looked at the impact of crowded households on people's health.²² The study revealed that one in 10 admissions to hospital for infectious diseases were a direct result of household overcrowding. For Māori and Pacific peoples, the figure jumped to one in five hospital admissions. About 45 per cent of Pacific children and 28 per cent of Māori children live in crowded houses.

Research showed that over the last two decades, an increasingly severe shortage of affordable housing has led to a

dramatic increase in hospital admissions for infectious diseases such as pneumonia, meningococcal disease and tuberculosis.

Access to habitable and affordable housing and culturally relevant health care services is essential to improving the health of vulnerable populations.

Study reveals hearing problems for Pacific children

Up to a third of Pacific children could be struggling to cope with hearing problems according to new research led by Professor Janis Paterson from AUT University and Professor Suzanne Purdy from the University of Auckland.²³ The research, part of the Pacific Islands Families (PIF) longitudinal study at AUT University, focused on a group of Pacific 11-year-olds in South Auckland. It found that more than 25 per cent of the children failed a hearing test in one or both of their ears, due to inner ear hearing loss or middle ear problems such as glue ear. About a third of the children tested also met the criteria for auditory processing disorder (APD), a condition affecting a child's ability to listen and process information at school. Pacific and Māori children are significantly more likely to have permanent hearing problems compared with other children. If these problems are not properly addressed they can affect a child's wellbeing and educational achievement.

Improving health care for culturally and linguistically diverse populations

With the growing diversity of Aotearoa New Zealand's population, health practitioners are experiencing more cross-cultural interactions with patients. Culturally and linguistically diverse groups (CALD) often face disparities in health status compared to other groups. They also tend to underutilise health services.

Improving the health of these groups means providing health care which takes account of the language and religion of patients, as well as ensuring services are accessible, culturally appropriate, effective and safe.

A new resource published by Waitematā District Health Board contains best practice principles when working with CALD service users, including migrant and refugee

1 in 10 admissions to hospital for infectious diseases is the direct result of crowded households.²²

populations from Asian, Middle Eastern, Latin American and African backgrounds. The resource, *Best Practice Principles: CALD Cultural Competency Standards and Framework* (June 2013) was developed by Sue Lim and Dr Annette Mortensen.²⁴ It includes information about CALD populations and why it is important for health care managers and staff to promote diversity and demonstrate cultural competence. The best practice principles are the latest in a series of CALD health initiatives which include training courses, an online forum and website.

Other District Health Boards are taking similar steps, and this year the Canterbury District Health Board published a report paving the way for improved delivery of health programmes to CALD populations in Canterbury.²⁵

During 2013, a team from the Department of Primary Healthcare and General Practice at the Otago University Wellington School of Medicine²⁶ has been conducting research into the use of interpreters in health consultations. They have produced a toolkit on interpreter use for doctors and are conducting research into real-life interpreter use during GP visits.

Public service workforce addresses inequality

Aotearoa New Zealand's growing ethnic diversity is yet to be reflected in many workplaces; however, one significant part of the workforce does come close to matching the make-up of our population – the public service.

The latest *Human Resource Capability* survey²⁷ from the State Services Commission shows that the ethnic composition of the public service workforce broadly resembles that of the working-age population, with slightly higher representation among Māori and Pacific people.

Despite this ethnic diversity, significant gaps still exist in the public sector. While the proportion of Māori senior leaders has increased (up from 7.7 per cent in 2009 to 11.2 per cent in 2013), Māori, Asian and Pacific people are still underrepresented in senior leadership roles. Māori, Pacific and Asian public servants are more likely to be employed in lower paid occupations. In 2013, Māori and Asian employees faced an 11.2 per cent pay gap while Pacific peoples faced a 19.4 per cent pay gap when compared to the rest of the public service workforce.

Responses to a questionnaire sent by the Human Rights Commission to all government departments in 2013 indicated levels of representation in senior roles and ethnic pay gaps vary considerably across departments. When it comes to the representation of Māori, for

example, some departments are much more successful than others at attracting, retaining and promoting Māori staff. Other departments have lower proportions of Māori staff in general, and in many cases there are indicators of occupational segregation with departments attracting Māori into lower paid occupations but failing to provide career progression into senior and better paid roles.

Addressing workforce inequalities is a growing priority for many government departments. For example, this year the Ministry of Education introduced new teaching scholarships and recruitment strategies to attract and retain more Māori and Pacific peoples to the teaching profession.

Some employers fail to recognise value of migrant workers

A significant number of migrants, particularly Asian peoples, continue to face discrimination when it comes to seeking employment. Newcomers, as well as those who migrated many years ago, can be confronted with racial discrimination when applying for jobs and can be treated unfairly in the workplace.

A 2013 survey led by BNZ chief economist Tony Alexander showed reluctance amongst some employers to take on migrant workers, even if they offered much needed skills.²⁸ It revealed employers with no overseas experience were significantly less likely to hire migrant workers than those with overseas experience. When employers were asked what advice they had for new migrants, they advised newcomers to “learn the English language and speak it”; “work hard and explain to your bosses why you should be hired”; “set up your own business”; and “make an extra effort to fit in”. It is of concern that it is not recognised that workers arriving from overseas bring valuable knowledge and expertise which boosts Aotearoa New Zealand's economy.

Over the last year, recommendations from both the United Nations Committee on the Elimination of Racial Discrimination and the Universal Periodic Review said that Aotearoa New Zealand should do more to protect migrants, particularly Asian migrants, from discrimination in employment settings.

Attempts to limit the discrimination against migrant workers include initiatives by government departments, NGOs and community groups to educate employers and build links between businesses and migrant communities, and programmes which support new migrants to overcome cultural or language barriers. A rise in the exploitation of migrant workers has also led the Government to develop new plans to address on extreme cases of workplace discrimination.²⁹

Book explores accelerating income inequality

Income inequality in Aotearoa New Zealand was discussed in a new book published this year, *Inequality: A New Zealand Crisis* (2013),³⁰ which looks at the causes and consequences of income inequality and identifies how tackling this disparity could help to reduce social problems. The book includes viewpoints from a broad range of contributors. The authors argue that, if it is not addressed, the gap between the rich and poor could have an effect on the job prospects, earning opportunities and wellbeing of future generations.

Find out more about inequalities and structural discrimination – or systemic barriers, also known as institutional racism – in Aotearoa New Zealand. Read *A fair go for all?* www.hrc.co.nz/fairgo.



A youngster looks on during a Waitangi Day dawn service. © APN/N Slade

Te Tiriti o Waitangi

The Treaty of Waitangi

Te Tiriti o Waitangi (the Treaty) is the founding document of our nation. Through the Treaty, the Crown gained an authority to govern (in partnership with Rangatira) and the active protection of Rangatiratanga was guaranteed to Tangata Whenua. Taiwi (residents and citizens) gained an authority to belong (Tūrangawaewae) in Aotearoa New Zealand and Tangata Whenua were guaranteed the same rights as British subjects. The Treaty belongs to all New Zealanders and is “the promise of two peoples to take the best possible care of each other.” (Bishop Manuhua Bennett).

The Treaty and the Constitutional conversation

The Constitutional Review, a national conversation about the future of New Zealand’s constitution, provided an important opportunity to discuss the position of the Treaty in the country’s constitutional arrangements and the participation of Māori in political decision-making. The Human Rights Commission supported iwi, hapū and whānau to engage in the conversation and its submission to the Constitutional Advisory Panel included views from Tangata Whenua.

Belonging to all of us, the Treaty represents the founding of Aotearoa New Zealand. The Commission’s position is that New Zealand’s constitutional arrangements, its values, rules, institutions and practices, should flow from the Treaty.

In its submission, the Commission explored what it would mean to give substantive effect to the Treaty as New Zealand’s founding document and reinforced the need to embed the Treaty partnership between the Crown and Rangatira in every aspect of the way in which Aotearoa New Zealand is governed. The Commission recommended the long-term development of a constitution based on the Treaty and developed by Treaty partners. It also recommended protection for the Treaty in New Zealand law.

In its final report, the Constitutional Advisory Panel recommended that the conversation about Aotearoa New Zealand’s future constitutional arrangements should continue. It also recommended the Government develop a national education strategy to help New Zealanders learn about and discuss civic and citizenship issues, including the unique role of the Treaty.

The Commission will be looking to see how the Government responds to the Constitutional Advisory Panel’s report.

Commission promotes human rights dimensions of the Treaty

The Commission has a specific responsibility to promote understanding of the human rights dimensions of Te Tiriti o Waitangi. In 2013, the Commission’s Te Mana i Waitangi programme worked with communities and organisations to promote discussion on human rights and the Treaty. Workshops were facilitated with councils, government departments, universities, businesses and community organisations, with participants commenting on how valuable they found it to gain a better understanding of the Treaty and what it means to New Zealanders today.

The Commission also hosted a special workshop in Wellington to discuss rangatiratanga and the whakapapa of human rights. The workshop discussed strategies for ensuring the voices of Tangata Whenua are heard during international human rights processes, such as the Universal Periodic Review.

In 2012, the Waitangi Tribunal released *Ko Aotearoa Tēnei*, its report on the Wai 262 claim concerning law and policy affecting Māori culture and identity. The report has yet to receive a response from Government. Achieving progress in the promotion and recognition of the cultural rights of Tangata Whenua continues to be a priority for the Human Rights Commission.

Find out more about Human Rights and the Treaty at www.hrc.co.nz/treaty.

Commission builds Treaty-based organisation

The Commission asserted its commitment to being a Treaty-based organisation, during a comprehensive review of its structure and programmes. The review offered a unique chance to look at how the Treaty is reflected in the way the Commission goes about its work.

In a demonstration of partnership, responsibility for Treaty issues was allocated to two Commissioners: one Tangata Whenua and one Taiwi (non-Māori). They will work

together alongside staff to ensure Treaty-based practice is embedded in the organisation. This includes fulfilling the Commission's responsibilities to protect rangatiratanga and promote full participation and equal rights for Tangata Whenua. Other strategies include prioritising tikanga Māori, mātauranga Māori and te reo Māori in all aspects of the Commission's work and upholding the Commission's values of whanaungatanga (relationships), māia, tika, pono (courage and integrity) and mana tangata (human dignity).

Federation committed to a Treaty-based Multicultural New Zealand

The New Zealand Federation of Multicultural Councils, with support from Network Waitangi Ōtautahi, developed a new resource³¹ which described its understanding and practice of the Treaty. The resource, *A Treaty-based Multicultural New Zealand*, sets out the Federation's commitment to the Treaty and to a multicultural society based on the Treaty. The resource is being shared so that other organisations can consider developing their own statements.

A Treaty-based Multicultural New Zealand is available from both the Federation of Multicultural Councils website and the Network Waitangi Ōtautahi website.

Councils urged to make decisions with Māori

Councils need to do more to build their understanding of kaitiakitanga and their relationships with Māori iwi and hapū, according to a national survey carried out by Te Puni Kōkiri.

Councils exercising their duties and powers under the Resource Management Act (RMA) are required to have particular regard to the Treaty and kaitiakitanga: the guardianship and custodial protection by an iwi or hapū over land and other taonga (treasure). The UN Declaration of the Rights of Indigenous Peoples (UNDRIP article 25) protects the right of iwi and hapū to maintain lands, waterways and natural resources.

Despite these provisions, the Kaitiaki Survey showed that some local and regional councils are failing to meaningfully engage with Māori and that several councils need to take steps to ensure iwi and hapū are participating in environmental and RMA work.

This lack of engagement is made worse by the significant underrepresentation of Māori in local government. Very few council seats are held by Māori, despite the fact that councils have powers to introduce dedicated Māori seats.

In 2013, several new collaborations were established between hapū and councils, including initiatives in

Northland and Bay of Plenty to revitalise traditional waterways. Hawke's Bay Regional Council announced plans to partner with the Ngāti Pahauwera iwi to form a legislated environment committee.

Māori economic growth continues

The influence of Māori investment and business ventures on Aotearoa New Zealand's economy continued to increase in 2013, with the worth of the Māori economy estimated to be at least \$37 billion.³²

The Māori Economic Development Unit was established to drive the implementation of *He Kai Kei Aku Ringa – the Māori Economic Development Strategy and Action Plan*.³³ The new Unit, which sits within the Ministry of Business, Innovation and Employment, is aiming to support the development of an innovative Māori economy by focusing on education, natural resources and Māori working together to drive growth.

During 2013, the settlement of Treaty claims enabled several iwi to establish new business ventures and investments. Many of these were in agriculture, with several big dairy ventures launched including Miraka Limited, a new dairy processing company. New areas of Māori business innovation were also explored including opportunities in geothermal energy and technology.

Iwi economic initiatives continued to provide a platform for social development, with many providing training, scholarships and career opportunities to iwi descendants and tauwi. The Bank of New Zealand also announced plans to create 10 cadet positions for Māori in the business banking sector.

The Ministry of Business, Innovation and Employment published a snapshot of the Māori economy in 2013. It is available at: www.mbie.govt.nz/what-we-do/maori-economic-development/maori-economy-factsheet-236-kb-pdf.

Asset sales spark urgent action

Government plans for the partial sale of Mighty River Power, Genesis, Meridian and Solid Energy sparked debate in 2013. The partial sale required the four state-owned energy companies to be removed from the State-Owned Enterprises Act, meaning that they would no longer be subject to provisions in section 9 of the Act which require the Crown to act in a manner consistent with the Treaty.

The United Nations Committee on the Elimination of Racial Discrimination was among those who raised concerns about the impact of partial privatisation on Māori rights and interests in natural resources. It called on the New



The Pukaki Canal during a Meridian Energy Waitaki asset tour ahead of its partial asset sale. © APN/R Robinson

Zealand Government to take urgent action to safeguard Māori rights.

After consultation with Māori, the Government confirmed that the provisions of Section 9 would continue to apply and that the partial sale of assets would not impact on future recognition of Māori rights and interests in energy resources.

A petition, signed by 327,224 people, against the selling-off of state-owned assets triggered a citizen's initiated referendum. Forty-five per cent of eligible voters took part in the referendum, with 67.3 per cent voting against the partial asset sales programme and 32.4 per cent in favour. The referendum result, which is not binding on the Government, came just as the programme neared completion with only one remaining energy company, Genesis Energy, waiting to go up for partial sale.

Freshwater under discussion at national hui

Māori rights and interests in freshwater were top of the agenda at several national hui as the Government continued to engage with iwi on reforms for the management of freshwater.

Aside from the preservation of the human right to clean water and sanitation, iwi expressed their desire for any reforms to recognise that water is a taonga of paramount importance and cultural significance to Māori. Discussions on the governance of freshwater also acknowledged

the central role water plays in Aotearoa New Zealand's economy including in the generation of renewable energy.

In 2012, the Waitangi Tribunal made several recommendations on how a future mechanism for safeguarding Māori interests in freshwater could be achieved. Some of these recommendations are being acted on by Government, including steps to formalise a role for iwi to provide advice and recommendations on freshwater reforms.

More information on human rights and water can be found in the Human Rights Commission report, *Human Rights and Water* which is available at: www.hrc.co.nz/wp-content/uploads/2012/02/water.

4G Spectrum sold off

Despite a Waitangi Tribunal recommendation that Māori be allocated a portion of the 4G spectrum, Tangata Whenua missed out when the radio band was sold off to make way for a new generation of mobile phone technology.

The radio spectrum is considered to be a taonga by Māori and in 1999, Māori successfully secured a block of the 3G spectrum resulting in the creation of the mobile phone provider 2degrees.

The Māori Spectrum Coalition appealed for a similar approach to be taken with the 4G spectrum and for a section of the radio band to be awarded to Māori. The request was not taken up by the Government, who auctioned off the last of the 700-megahertz band of radio

frequencies in November 2013. Telecom, Vodafone and 2degrees were among those who secured slices of the spectrum.

4G was not the only spectrum issue faced by Māori in 2013. With television moving from analogue to digital broadcasting, a new law was passed giving Māori Television the right to switch to the digital spectrum and transferred spectrum management rights from the Government to the Māori TV Service Electoral College, Te Pūtahi Paoho.

Waitangi Tribunal

The Waitangi Tribunal is an independent commission of inquiry which has statutory responsibility for investigating claims brought by Māori into alleged breaches by the Crown of its obligations to hapū and iwi under the Treaty.

The Tribunal currently has three district inquiries and one regional inquiry underway. These are the Te Rohe Pōtae (King Country) district inquiry; the Porirua ki Manawatū district inquiry, the Taihape (inland Pātea or Mā kai Pāea) district inquiry, and Te Paparahi o te Raki (Northland) – a regional inquiry which covers seven Taiwhenua or districts. These district inquiries comprise the largest part of the Tribunal's current work, collectively covering around 800 individual historical claims.

In 2013 the Tribunal released the following reports:

1. *The Ngāti Kahu Remedies Report* responded to an application from Ngāti Kahu asking the Tribunal to make a binding recommendation for the return of land. Such binding recommendations apply to land previously transferred to a State owned enterprise and to Crown forest licensed land. The Tribunal concluded that it could not make binding recommendations but went on to set out a series of recommended remedies for providing redress to Ngāti Kahu for the Crown's historical breaches of the Treaty.
2. *Matua Rautia: The Report on the Kōhanga Reo Claim* responded to the concerns of the kōhanga reo movement regarding risks to the future of te reo Māori following the release of a report to the Government from the Early Childhood Education Taskforce. The Tribunal recommended that urgent steps be taken by both Māori and the Crown to assure the long-term health of te reo as a taonga of Māori.
3. *Te Kāhui Maunga: The National Park District Inquiry Report* which found that the Crown had not honoured an intended partnership with Ngāti Tūwharetoa and had established the Tongariro National Park without proper consultation. The Tribunal recommended that

the Crown honour its Treaty obligations by making a new partnership arrangement for the national park. The Tribunal also found that Tūwharetoa, Ngāti Rangi and Whanganui iwi are entitled to compensation for use of their taonga to generate electricity, particularly in the case of Lake Rotoaira.

The Mangatū Remedies Report responded to four Māori groups that had asked the Tribunal to make a binding recommendation for the return of the Mangatū Crown forest licensed land. The Tribunal concluded that such a recommendation may not provide proportionate redress and would not be fair and equitable between the four groups. The Tribunal urged all the applicants to return to settlement negotiations with the Crown.

Two urgent inquiries are currently before the Tribunal. These include the National Fresh Water and Geothermal Resources Inquiry which has commenced Stage Two of the process and is awaiting a Crown update on the reform of freshwater management and governance, and also the New Zealand Māori Council Māori Community Development Act Claim which concerns the Crown's reform of the Māori Community Development Act, in particular the consultation process and the effects of the reform on the New Zealand Māori Council and the Māori Wardens.



Tūhoe chief negotiator Tamati Kruger hugging Crown negotiator Lillian Anderson during the deed of settlement signing ceremony. © APN/M Mitchell

Tūhoe signs innovative Treaty settlement with Crown

In June, over a thousand descendants of Ngāi Tūhoe travelled to Parliament to honour the signing of the iwi's Treaty settlement with the Crown.

This significant settlement contained several innovative forms of redress, including giving Urewera National Park its own legal identity, meaning it is owned by no-one, but jointly managed by the Crown and Tūhoe.

Tūhoe also received a \$170 million redress package and a formal apology from the Crown for its treatment of the Mataatua tribe. Over the next five years Tūhoe will move toward increased self-governance; giving the iwi greater control over local health, education and housing services. Priorities identified by the iwi include reducing poverty and unemployment, providing better housing and improving water, power and sewerage systems in the region.

Tūhoe is one of the tribes which did not sign the Treaty. In 1865 their lands were invaded by the Crown in Waikaremoana. Large scale land confiscations and unjust land purchases followed. Over a century later, the signing of the Tūhoe deed of settlement represents the beginning of redress for Ngāi Tūhoe's suffering at the hands of the Crown.



Photo: A Bayly

Rerekētanga whakapono

Religious diversity

Religion in Aotearoa New Zealand more varied than ever

Census 2013 figures revealed considerable changes in the nation's religious diversity.³⁴

There has been a rise in the number of people with no religion, with more than four out of 10 New Zealanders, declaring themselves non-religious.

For the first time in over a century, Christians are not the clear majority. The number of Christians has dropped, with 1.9 million people affiliated with a church, down from over 2 million in 2006. The Anglican Church has been overtaken by Roman Catholicism as Aotearoa New Zealand's most popular religious community.

While Christianity may be decreasing, other religions, such as Hinduism, Sikhism and Islam have all grown significantly. There are now 89,000 Hindus in Aotearoa New Zealand, a rise of 16,000 since 2006. These religious communities are active and thriving and look set to continue to change the shape of religious diversity in Aotearoa New Zealand.

Parliament acknowledges religious diversity

Members of Parliament passed a motion affirming that the rights and dignity of all New Zealanders should be upheld, regardless of their religious faith or ethnicity. This motion about respecting religious diversity was put forward following anti-Muslim comments made by NZ First MP Richard Prosser in an article in *Investigate* magazine. The motion was passed without debate and acknowledged the responsibility of all New Zealanders to act with justice, equity, and respect.

Interfaith gatherings promote tolerance

In 2013, members of many faiths gathered at interfaith events across the country in the spirit of understanding and cooperation.

Highlights included a regional interfaith forum in Hamilton organised by the Waikato Interfaith Council (WIFCO). The forum brought together 70 delegates from around the North Island. Discussions focused on strengthening links between interfaith groups and supporting young

people to engage in interfaith activities. There was also an opportunity to hear about the Semarang Action Plan which was agreed at the Asia-Pacific Regional Interfaith Dialogue in Indonesia in 2012. During the regional forum it was agreed that an annual National Interfaith Day should be established and work is underway to achieve this important goal.

It was a busy first year for the new Dunedin Interfaith Council which hosted an official welcome for the Dalai Lama at St Paul's Cathedral. The new council is now preparing to host the 10th National Interfaith Forum in June 2014.

A national group of interfaith youth leaders, including representatives from Buddhism, Islam, Christianity, Baha'i, Quakers, and the Sri Chinmoy movement, led a range of interfaith activities during the year. One highlight was an audience with His Holiness the Dalai Lama who offered words of encouragement to the youth delegation and advice on how they can work together in harmony within their faith communities and in the global interfaith movement.

During the year, several gatherings of religious leaders took place, including an inaugural meeting of the Religious Communities Leadership Forum, a new initiative bringing together leaders from various religious organisations to share spiritual ideologies and discuss religious diversity.

Media and religion – action needed

Media and religion was the key issue for discussion at this year's Religious Diversity forum. Held as part of the New Zealand Diversity Forum in Wellington the event provided an opportunity to explore issues such as freedom of expression, media responsibility and the reporting of religion.

The forum was hosted by the Victoria University of Wellington Religious Studies Programme in partnership with the Commission. Speakers included Professor Paul Morris; NZ Herald columnist Dita De Boni, blogger Anjum Rahman and Reverend Jenny Chalmers.

The forum discussed the need for improved guidance for religious communities on media complaints procedures as well as measures to make it easier for media to access advice and input from religious communities.

It was agreed that a working group and a reference group would be established to guide the development of work in this area.

Council meetings opened with interfaith prayers

Hamilton City Council sent a message of inclusion in 2013 by deciding to begin each Council meeting with an interfaith prayer led by faith leaders from Jewish, Bahá'í, Buddhist, Christian, Hindu and Muslim communities.

The council introduced the interfaith prayers following suggestions by former councillor Daphne Bell, with support from the Waikato Interfaith Council. The prayers were led by various Waikato faith leaders, reflecting the city's diverse demographics.

The new start to council meetings was praised by members of Hamilton's religious communities who felt that interfaith prayers offered a chance to promote social cohesion and to guide and encourage the mayor and councillors in fulfilling the obligations for which they had been elected.

Religion in schools debate continues

Public debate over religious instruction in schools surfaced again this year at a symposium hosted by the University of Auckland.

The Education Act 1964 allows for state primary and intermediate schools to close for up to an hour a week for the purposes of religious instruction given by outside volunteers. Approximately one in three New Zealand primary schools exercise this opportunity, with parents being able to withdraw their children from participating. The vast majority of teachings are based on the Christian faith.

At the symposium, the Secular Education Network which opposes religious instruction in schools, argued that practices such as the Christian 'Bible in Schools' programme is inconsistent with a secular education system.

Paul Rishworth, Professor at the University of Auckland, explored the lawfulness of the Education Act. He suggested that the Act could be interpreted as embracing all religions and appeared to be lawful and consistent with the right to freedom of religion.

A Commission resource based on frequently asked questions and concerns about religion in schools is available at: <http://www.hrc.co.nz/religionschools>.

Faith communities say no to family violence

Several workshops and community events took place during the year to discuss what actions faith communities were taking, or could take, to prevent family violence.

These activities followed on from the signing of a national statement in 2012 when over 40 faith communities agreed to take a stand against family violence recognising it as one of the most significant moral, spiritual and social challenges faced by Aotearoa New Zealand. The statement was facilitated by the Children's Commissioner and committed faith communities to take action to make a difference in the lives of children and families.

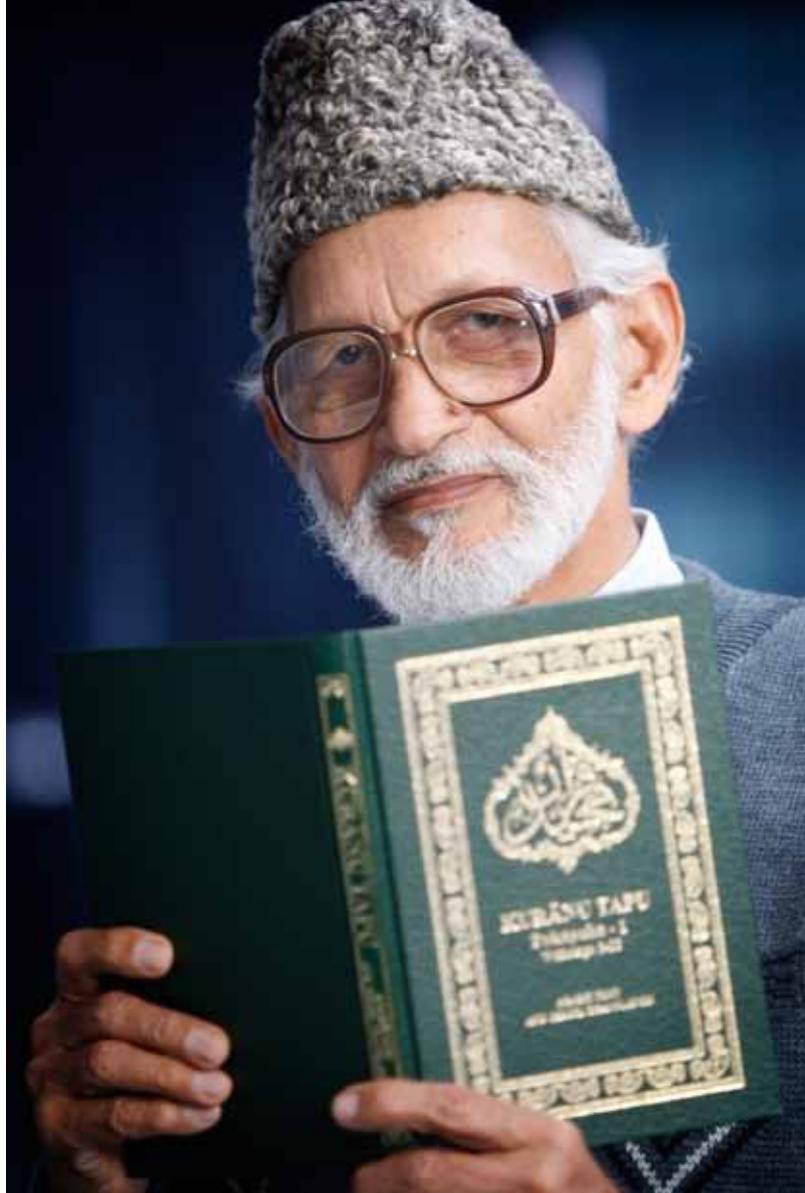
Muslim World Forum strengthens connections

The first Muslim World Forum took place in Auckland in November, providing an opportunity to discuss contemporary issues relating to Aotearoa New Zealand's relationship with the Muslim world. The event was a collaboration between the Office of Ethnic Affairs and the New Zealand Muslim community. It aimed to create better connections between Muslims and the wider community while also promoting respect, understanding and inclusion of Muslims in all aspects of New Zealand life.

Other significant activities in 2013

1. Dame Susan Devoy was welcomed into her new role as Race Relations Commissioner at a multi-faith dinner at the Wellington Jewish Community Centre, where she received support from members of Wellington's Hindu, Muslim, Buddhist, Sikh, Jewish and Christian communities.
2. The Law Commission conducted public meetings throughout the year seeking views from Aotearoa New Zealand's religious and ethnic communities on potential changes to the laws around burials and cremations.
3. Representatives from diverse religious backgrounds provided advice on new achievement standards for Religious Studies in secondary schools. A review of the Levels 1–3 standards, led by the Ministry of Education and NZQA, sought to align the standards with the school curriculum and assessment framework. New standards are likely to be implemented from 2014.

4. Mother Teresa Interfaith committee hosted an event to promote religious tolerance and harmony which was attended by his Highness, Nawab Mohammed Abdul Ali, Prince of Arcot, a renowned Muslim leader and philanthropist from India.



Shakil Monir © APN/R Robinson

Qur'an translated into te reo Māori

Members of the Ahmadiyya Muslim Community celebrated the launch of the Kur'an Tapu – a version of the Muslim holy book, the Qur'an – translated into te reo Māori.

His Holiness, Hazrat Mirza Masroor Ahmad was in Aotearoa New Zealand to help launch the te reo Māori version of the Qur'an, which has been translated from the Arabic text. It took 25 years to complete. A copy was also given to King Tūheitia at a reception at Tūrangawaewae Marae. This comprehensive translation follows earlier partial translations of the Qur'an.



Te heketanga me te whakataau

Migration and settlement

Each year thousands of people arrive, to make Aotearoa New Zealand their home. Our current immigration system is recognised as being progressive and carefully balances the protection of human rights with border control and security. During 2013, major changes to the immigration system were set out, as well as changes to the way newcomers are supported as they settle into their new life in New Zealand.

Migration trends

The latest migration figures³⁵ reveal there were more people arriving in Aotearoa New Zealand than leaving in the year to June 2013. There was a net migration gain of 7900 compared with a net migration loss of 3200 the previous year.

A total of 38,961 people were approved for residence, down 4 per cent from the previous year. Most permanent migrants to Aotearoa New Zealand came from China (15 per cent), just ahead of the United Kingdom and India (13 per cent each). This means that more than one in four permanent resident migrants now comes from either India or China.

Migration plays an important role in the New Zealand labour market. In Canterbury there continues to be a significant demand for migrant workers. Since July 2011, over 1700 visas were granted to people coming specifically for earthquake-related work. As the rebuild picks up pace, more migrants from both within New Zealand and overseas will make Canterbury their home. The majority of Canterbury's migrant workers are from the Philippines, followed by workers from the United Kingdom and Ireland.

In 2012–13, 64,232 international students were approved to study in Aotearoa New Zealand, down 4 per cent from the previous year. The largest source countries of students were China (27 per cent), India (13 per cent) and South Korea (8 per cent).

The number of people approved for a temporary work visa increased 5 per cent. In 2012–13 144,978 people were granted temporary work visas, up from 138,162 the previous year.

Migrant workers in Canterbury

Despite bringing much-needed skills to the region, migrant workers continue to face challenges when they arrive in Canterbury.

A lack of oversight has led to the unfair treatment of some migrant workers. Employment breaches include unreasonable work hours, unpaid overtime and annual leave, non-transparent salary deductions and lack of employment agreements, while reports of wage disparities and workplace discrimination are also common.

Concerns continue to be raised by migrant advocacy groups regarding the exploitation of Filipino workers. Some Filipino workers are forced by recruitment agents in the Philippines to take on high-interest loans to pay for job placements and visas. This can result in them being locked into considerable debt before arriving in New Zealand. Often unaware of their basic rights and concerned that their work visas may be cancelled, many migrant workers are afraid to raise the issue and speak out against their employers.

Health and housing concerns in Christchurch are also affecting Canterbury's migrants. Some migrant workers currently live in inadequate housing and health services are needing to keep pace with the demand for interpreters and culturally-responsive health care.

Some migrants in Canterbury have also been subject to verbal and physical harassment, often fuelled by the perception that migrant workers contribute to local unemployment.

Immigration Amendment Bill (No 2)

The Immigration Act 2009 was introduced to ensure New Zealand complied with international obligations on migration and settlement. The 2009 Act, and New Zealand's immigration legal system have been internationally recognised for their progressive approach toward border security and ensuring that rights are protected.



Papatoetoe Race Relations Day celebrations.

In October 2013, the Minister of Immigration introduced a bill to amend the 2009 Act. The bill aims to address gaps in compliance, to explore new technology, and to address the exploitation of migrant workers. While proposals to address worker exploitation are welcome, other changes have the potential to tilt the carefully achieved balance between rights protections and security.

The Immigration Amendment Bill (No 2) will make it an offence to exploit migrants holding temporary work visas. Advocates for migrant workers have welcomed the measures, saying that a crack down on exploitation could not come soon enough. Under the Bill, employers who exploit workers could be jailed for up to seven years, fined up to \$100,000 and possibly deported. Victims will be encouraged to provide evidence of exploitative workplace practices – and when assessing eligibility for a further visa, immigration officers may in certain circumstances overlook relevant periods in the victim’s immigration history where he or she may not have complied with visa conditions.

The Bill also proposes amendments that will provide for enhanced search powers for immigration officers, changes to the way biometric information is collected, the use of electronic notifications and changes to the way passenger information is provided at the border.

A significant change proposed in the Bill will limit the ability of some individuals to review immigration decisions. The Bill makes it clear that the ability to request personal information under the Privacy Act 1993 does not apply to the reasons given for decisions made using “absolute discretion” (as defined in section 11 of the Immigration Act 2009). Until recently reasons were generally provided to ensure transparency and to respect the principles of natural justice. The Government has said the intention of the Immigration Act 2009 is to limit the rights and protections available to individuals disenfranchised from the immigration system.

Changes in settlement support

In 2013, the way Aotearoa New Zealand supports new migrants was put under scrutiny.

Immigration New Zealand undertook reviews of the regional settlement strategies in Auckland and Wellington, as well as the nationwide Settlement Support New Zealand initiative. The Auditor-General also undertook a review to assess how well Immigration New Zealand was doing to support new migrants.³⁶

These reviews revealed that most migrants find work and settle well in Aotearoa New Zealand and that improved central and regional coordination has led to better services

for new migrants. The reviews also identified opportunities to improve effectiveness, including reaching out to more clients.

The Settlement Support New Zealand (SSNZ) initiative, which provides assistance to new migrants via 18 local offices around the country, was found to be successful and delivered a high level of client satisfaction. However, despite this success, Immigration New Zealand has announced that change is needed.

From 2014, the programme will be targeted at priority migrants, those with skills who can make a substantial contribution to the New Zealand economy. Plans include developing a centralised contact centre and online services as well as employing new retention specialists who will work with local employers, businesses and councils. Some regional providers of settlement services are concerned that the majority of migrants currently needing assistance will not be considered "priority". In addition these individuals may have difficulty in accessing web-based or contact centre services. The changes could shrink the resources available to local communities to support new migrants and reduce the availability of face-to-face advice and advocacy services.

These changes to SSNZ, together with cutbacks to the Settling In Programme (a community development programme overseen by the Ministry of Social Development that works with migrants, refugees and communities) have raised questions about what local and regional settlement services might look like in the future.

New migrants welcomed by Tangata Whenua

Māori culture is a taonga of Aotearoa New Zealand. For newcomers to our country, the opportunity to experience Māori culture is an important part of their settlement journey. Experiencing a marae welcome has become a valuable way for new migrants to learn about the significance of Māori culture. It also enables local iwi to welcome newcomers as manuhiri (visitors) to the region.

Settlement Support New Zealand and local communities have organised marae welcomes across the country. The practice has received global recognition for its ability to connect indigenous communities with new migrants. Judi Altinkaya from Immigration New Zealand was invited to talk about the impact of marae welcomes at an international Cities of Migration webinar in 2013.



Kuia Sally Pitama welcomes Glenda Guo at the Christchurch Migrant Centre visit to Rehua Marae.



Afghan interpreter Parwiz Hakimi holds his three month old daughter Hania at Whenuapai airbase. © APN/D Purcell

Ngā rerenga, te whakatau me te punanga

Refugees, resettlement and asylum

World wide, there are people who are forced to find a safe refuge because they face persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion. Aotearoa New Zealand offers resettlement to refugees in accordance with international guidelines and our own immigration legislation. Changes to the way we accept and resettle refugees were proposed this year, with ongoing challenges highlighted.

Resettlement in 2013

The vast majority of refugees in Aotearoa New Zealand enter through the annual United Nations High Commissioner for Refugees (UNHCR) resettlement programme. Since 1987 New Zealand has accepted up to 750 refugees each year in accordance with its annual quota. These people are often referred to as “quota refugees”.

In 2012–13, a total of 751 quota refugees were resettled, mostly from Myanmar, Iraq, Bhutan, Columbia and Sri Lanka.³⁷ The majority were resettled in Auckland or Wellington, with others being supported to resettle in the Nelson, Manawatū and Waikato regions. Thirty Afghan interpreters and 64 family members were offered residency in recognition of their assistance to New Zealand troops and were resettled in Hamilton and Palmerston North.

Aotearoa New Zealand's resettlement programme represents a positive model both regionally and globally. Concerns continue to be raised, however, about the requirement that resettlement from Africa and the Middle East be supported by the presence of family links in Aotearoa New Zealand. This requirement limits the scope for priority protection cases to be included in the annual quota.

In 2012–13, 306 people lodged claims for asylum in New Zealand. Most of these claims were by people from Sri Lanka, Iran, Fiji, Pakistan and Saudi Arabia. A total of 86 applications were approved.

A total of 560 people, including partners and family members, were invited to apply for residence to join others who had resettled here as refugees. Two-hundred and sixty-one were granted residence visas.

In November 2013, a man claiming to be New Zealand's first climate change refugee had his application for asylum turned down by the High Court. The man who is facing deportation to Kiribati plans to take his case to the Court of Appeal, where he will argue that rising sea levels are making his homeland uninhabitable.

Agreement with Australia

In February 2013, the Government of New Zealand announced a new bilateral agreement with Australia indicating that from June 2014, 150 refugees who are part of Australia's refugee intake will be accepted in Aotearoa New Zealand each year. This will form part of the New Zealand Government's current commitment to resettle 750 refugees a year, reducing the number of places available for referral by UNHCR to 600 places.

The decision was strongly criticised by UNHCR, Amnesty International and others, at a time when around 860,000 refugees are in need of resettlement with fewer than 85,000 resettlement places available globally each year. . Concerns were also raised that these 150 refugees may be subject to years of mandatory detention in Australia or in offshore centres in the Pacific islands of Nauru and Papua New Guinea's Manus Island under Australia's 'no advantage' immigration policy. In its 2013 report, the United Nations Committee on the Elimination of Racial Discrimination (CERD) urged the New Zealand Government to refrain from sending asylum seekers to the Australian offshore centres until the conditions meet international standards.

New health checks for quota refugees

From 1 July 2013 new health checks for quota refugees were introduced to assess whether a person poses a serious public health risk or could place demands on Aotearoa New Zealand's health system. The checks look for specified health conditions such as severe haemophilia, drug resistant TB and conditions requiring dialysis treatment or full-time care.

The new criteria mean anyone assessed as having certain conditions or treatment needs will not be selected for the quota programme unless granted an exception on a case-by-case basis by the Minister of Immigration.

Immigration Amendment Act 2013

In June 2013, the Government enacted the Immigration Act 2013. The Act aims to provide an efficient processing system in the event of a 'mass arrival' of asylum seekers and to deter people smuggling. The Act's provision for the detention of groups of asylum seekers arriving together by boat has been widely criticised. Organisations, including the New Zealand Law Society, Amnesty International, the UNHCR and the Human Rights Commission also raised a number of other concerns. These included concerns about the language of the Act referring to asylum seekers as 'illegal migrants', the fact that there is no explicit presumption against detention, the detrimental impact of detention on the mental health of asylum seekers, and the risk of breaching New Zealand's international obligations.

Other policy changes were also announced. These include a requirement that persons already recognised as refugees would have to re-establish their need for protection three years after the original determination and that permanent residency would not be approved until this reassessment is finalised.

Refugee Resettlement Strategy begins

The first stages of the national Refugee Resettlement Strategy got underway this year. The strategy, coordinated by Immigration New Zealand, sets out priorities for refugee resettlement. It introduces a stronger focus on preparing people for employment, as well as increasing their participation and self-sufficiency. It also aims to improve outcomes for refugees in health, housing and education.

The strategy is a cross-government initiative, involving the Ministries of Business, Innovation and Employment; Education; Health; and Social Development. It also has input from a group of key stakeholders from government and non-government organisations and refugee communities.

Some of the practical changes being introduced include improving the information provided to refugees before arriving in Aotearoa New Zealand as well as keeping service providers and refugee community leaders better informed about the composition of refugee quotas to help them to plan ahead. The Strategy initially only applies to quota refugees.

Alongside the Refugee Resettlement Strategy, the Government promised \$5.5 million to help rebuild the ageing Māngere Refugee Resettlement Centre. The centre, built during World War II, plays a crucial role in accommodating refugees and helping them to adapt to their new life in Aotearoa New Zealand.

Successful asylum seekers left to mark time

New research carried out by ChangeMakers Refugee Forum and The National Refugee Network highlighted marked differences in the way that quota refugees and successful asylum seekers are supported in Aotearoa New Zealand.³⁸

Each year the Government supports around 750 quota refugees to resettle in Aotearoa New Zealand. However, this same level of support is not offered to the approximately 140 other people granted refugee status each year after they arrive in New Zealand seeking asylum.

The ChangeMakers Refugee Forum report *Marking time: experiences of successful asylum seekers in Aotearoa New Zealand* explored the extent to which successful asylum seekers were able to participate in Aotearoa New Zealand life. It revealed that successful asylum seekers, also known as 'convention refugees', find it difficult to access interpreters and opportunities to learn English. They may also be forced to wait many years before gaining permanent residency. Not only does this mean prolonged periods of uncertainty it also presents major challenges in accessing education, housing, health care, welfare benefits and employment.

ChangeMakers Refugee Forum is calling for equitable support to be offered to both quota refugees and successful asylum seekers.

Intensive support keeps refugees healthy

Refugees require intensive support and education to stay healthy, according to research by Red Cross Refugee Services.³⁹ The pilot *Health and Wellbeing Project* revealed more needs to be done to help refugee-background families learn about the New Zealand health system and how to access services.

The project worked with a number of families, delivering health information directly to each household, in their language. Red Cross Refugee Services said that the project demonstrated the value of taking account of the literacy, education and language skills of people from refugee-background communities as well as any disabilities they may have.

It recommended former refugees are provided with intensive education about accessing the New Zealand health system as well as tailored health education programmes on areas such as immunisation, smoking cessation, health screening services and women's health.



Ole Maiava, senior outreach programmer at the Auckland Museum, at the museum's Tale Pasifika display to celebrate Samoan language Week. © APN/R Robinson

Ngā reo

Languages

Language plays an important part in race relations, both in affirming identity and in fostering understanding of different cultures.

Aotearoa's ethnic mix reflected in languages

In 2013, there were more than 160 languages spoken in Aotearoa New Zealand.⁴⁰ The Census shows that English is still by far our most widely spoken language (96.1 per cent), followed by te reo Māori (3.7 per cent) and Samoan (2.2 per cent). Hindi officially overtook French to become our fourth most spoken language with 66,300 people (1.7%) speaking Hindi. There are now 52,263 speakers of Northern Chinese languages (such as Mandarin), which is an increase of almost 11,000 since the 2006 Census. Tagalog, the national language of the Philippines, has had the greatest increase in the number of speakers in Aotearoa New Zealand. There are now 29,016 Tagalog speakers, up from 12,483 in 2006.

North and South Islands officially named

After being officially nameless for more than a century, the names of the North and South Islands were made official this year. Following public consultation, the NZ Geographic Board formally assigned official alternative Māori names to the two islands; Te Ika a Maui and Te Wai Pounamu.

Language services celebrate ten years

Two important language services marked their 10th anniversary this year.

CAB Language Link celebrated a decade of providing Citizens Advice Bureau services in more than 25 languages across a range of issues including immigration, employment, housing and education. It also introduced three new languages to its services: Filipino, Sinhala and Tamil.

Language Line, the telephone interpreting service operated by the Office of Ethnic Affairs, marked 10 years of providing free interpreting services on behalf of over 90 public agencies including Inland Revenue, Immigration

New Zealand, Housing New Zealand Corporation, and the Ministry of Justice. The service provides interpreters in 44 languages to help people access a vast range of services, from arranging an appointment to registering a birth. Language Line responded to over 48,000 requests during the 2012–2013 financial year, an increase of more than 10,000 from the previous year. The 10 most frequently requested languages were Mandarin, Samoan, Korean, Cantonese, Tongan, Hindi, Spanish, Arabic, Japanese and Portuguese.

2013 – action on languages

Language Weeks held throughout 2013 provided opportunities for celebration and learning. Te Wiki o Te Reo Māori and NZ Sign Language Week provided an opportunity to promote two of Aotearoa New Zealand's official languages, with events taking place around the country. For the first time, Fiji and Tuvalu celebrated their own Pacific language weeks, alongside action-packed language weeks for Samoa, Cook Islands, Tonga, Tokelau and Niue.

The 2013 Māori Language Awards in Gisborne recognised efforts by individuals, groups and companies to use te reo Māori. The BNZ, New Zealand Fire Service and Thames South School were the winners of the private, government and education categories.

The future of Asian languages in New Zealand schools and business was debated at a forum called *Is English enough in the Asian Century?* hosted by The Asia New Zealand Foundation.

Several important language resources were launched during the year including *Languages in Aotearoa New Zealand* by The Royal Society of New Zealand which included research on the role languages play in our national, social and personal development and explored the case for creating a national languages policy.

Aotearoa New Zealand's first bi-lingual dictionary of Māori legal terms was launched by Victoria University in Wellington. *The Pacific Languages Compendium* – a web-based directory of government resources written in Pacific languages – was published by the Ministry of Pacific Island Affairs.



Tamariki from Ōnuku Marae hold up a sign for the correct pronunciation of Akaroa. The theme for Māori Language Week was Ngā Ingoa Māori – Māori names. Photo: Te Taura Whiri i te Reo Māori

The Ministry of Business, Employment and Innovation translated its guide to employment rights into Tagalog, in view of the growing number of Filipino migrant workers in New Zealand. The Ministry of Civil Defence and Emergency Management released guidance for culturally and linguistically diverse (CALD) communities and for people with disabilities to assist these groups during emergencies and disasters.

The Commission launched *A New Era in the Right to Sign*, presenting the findings of a year-long inquiry into issues surrounding the use of New Zealand Sign Language (NZSL) since it was made an official language in 2006. Other NZSL developments included a new guide to the criminal justice system distributed by the National Foundation for the Deaf, as well as the addition of te reo Māori vocabulary in the Online Dictionary of New Zealand Sign Language.

UN urges support for te reo Māori and Pacific languages

In its 2013 report, the UN Committee on the Elimination of Racial Discrimination (CERD) raised concerns about the erosion of Māori language and called on the Government to provide opportunities for all New Zealanders to develop the ability to communicate competently in both English and te reo Māori. Concerns about the future of Māori

language were also raised during New Zealand's Universal Periodic Review (UPR), with members of the Human Rights Council urging the New Zealand Government to expedite the development of a new strategy for protecting and promoting te reo Māori. In December, the Government announced plans to consult on proposals for a new Māori Language Strategy. The Minister of Māori Affairs will report back to Cabinet in 2014 with a final proposal.

CERD and the UPR also recommended that the New Zealand Government should take specific measures to foster the retention and use of Pacific languages and community languages, by ensuring adequate resources are allocated for specific language programmes.

Recent comments by the Government have left some people feeling concerned about the level of national commitment to retaining and promoting minority languages. For example, when responding to an inquiry on Pacific languages in early childhood education the Government said that whilst it would protect the right of Pacific peoples to promote their own languages, it believed it had no legal obligation to take action itself to preserve Pacific languages.⁴¹



"If you don't speak Māori, who will teach me?" created by Te Kura Kaupapa Māori o Ngāti Kahungunu o Te Wairoa students.

Te Wairoa Reorua 2040

"Kia ora everyone, nau mai, hoki mai, leading your news bulletin tonight: Wairoa officially becomes the first bilingual town in Aotearoa". This is the news headline that will be greeting TV viewers in the year 2040, or even sooner than that, thanks to Te Wairoa Reorua 2040.

Te Wairoa Reorua 2040 is the vision of four kaitiaki organisations, Te Kura Motuhake o Te Ataarangi, Ngā Kōhanga Reo o te rohe o Te Wairoa, Te Kura Kaupapa Māori o Ngāti Kahungunu o Te Wairoa and Te Taiwhenua o Te Wairoa. Together with the Human Rights Commission, they are working on a strategy to set their community on the path to becoming bilingual by 2040.

The local kura and kōhanga reo in Wairoa often reported that people encountered barriers to speaking te reo Māori when they were in the community. The aim of Te Wairoa Reorua is to enable Māori, English and other languages to be valued and kept alive in and around Wairoa.

In 2013, Te Wairoa Reorua 2040 marked its first year. It hopes that by 2040 reo will be spoken in most homes and in the street, that schools will deliver their curriculum in te reo Māori and there will be regular use of reo in local shops and workplaces.



Jason (Naveed) Kennedy and his wife Khayreyah Wahaab invited MP Richard Prosser for dinner to discuss his stance on Muslims. © APN/S Slade

The media – television, film, print, radio, online and interactive – influence how we view the world. It presents messages about culture, race, ethnicity, and religion – and can promote positive representations as well as reinforce negative stereotypes. Media also provide an important space for debate and discussion on race relations issues.

Cartoons spark racism debate

Cartoons about free school meals faced a strong backlash this year, with complainants alleging that the cartoons were stigmatising, offensive and stereotyped Māori and Pacific peoples as spending their money on cigarettes and gambling.

The cartoons were published at the end of May in the *Marlborough Express* and *The Press*. The first depicted two overweight adults dressed in children's school uniforms joining a line for free school meals. One of the adults, says: "Psst! ... If we can get away with this, the more cash left for booze, smokes and pokies!"

The second cartoon showed a large family sitting around a table littered with Lotto tickets, beer cans and cigarettes with an adult saying: "Free school food is great! Eases our poverty, and puts something in you kids' bellies!"

Amid claims that his illustrations were 'racist' and 'not funny', cartoonist Al Nisbet defended the cartoons saying it was the right of cartoonists to cover controversial topics – including ones to do with race.

The Race Relations Commissioner, Dame Susan Devoy, responded, saying: "The cartoons further stigmatise New Zealand children living in poverty and the use of negative stereotypes is insulting and derogatory in the extreme."

The debate over the cartoons emphasised the difficulties faced when balancing the right to freedom of expression with the prohibition in the Human Rights Act aimed at stopping the incitement of racial disharmony. Although freedom of expression is not absolute, a very high threshold is necessary before the prohibition in the Human Rights Act can be said to have been breached. Some critics have argued that the threshold should be lower, while others have said that maintaining a high threshold means

that all New Zealanders can be free to share their views even when those views may be offensive to others.

Speaking out about the important role of cartoonists, Al Nisbet said "Cartooning should be like playing practical jokes and annoying people, having a crack at all sides. You've got to push the envelope otherwise you have namby pamby, PC cartoons."⁴²

Cartoonist Tom Scott argued in response that cartoons are there to "puncture the pride, the power and self-image of the wealthy and powerful".

Backlash follows "Wogistan" remarks

NZ First List MP Richard Prosser was condemned for racist remarks including comments calling for young Muslim men from "Wogistan" to be banned from flying and describing Islam as "a Stone Age religion". The MP later said that he regretted his comments which were reported in many countries.

Featured in an article in *Investigate* magazine, his remarks sparked discussion on the way Muslim issues are portrayed in the media. Some people said Mr Prosser's comments were an example of politicians making political capital at the expense of Muslims. Others said that it was a telling example of how Muslim issues are reported in the media, often in a sensationalist way.

In her *Stargazer* blog, Anjum Rahman described how media reporting of Muslim issues often focused on stupid comments, such as Mr Prosser's, instead of identifying interesting and reasoned pro-Muslim stories. Rather than ignoring irresponsible and silly comments, a big deal was made of them garnering even more attention. Most damaging, however, was the often vitriolic comments toward Muslims appearing on social media whenever these sorts of issues become headline stories.

Mr Prosser's comments received much attention online, highlighting the rise of social media as a major source of and venue for society's discourse. This brings new challenges and responsibilities. Racial harassment and hate speech is more difficult to monitor in social media, and it is often left up to individuals and communities to take action.



MP Richard Prosser © APN/IM Mitchell

Greater attention needs to be given to combating racially offensive content online, this includes news media taking greater responsibility for bullying or hateful comments posted on their news sites.

Mr Prosser apologised for his comments and was graciously invited to the home of a Muslim family who informed him about their religion and culture.

Hindu community condemns Kali caricature

A caricature of the Hindu goddess Kali published in a New Zealand Herald column was inappropriate and offensive to many in the Indian community. The illustration accompanied an article about dairy owners, showing Goddess Kali holding amongst other things a packet of cigarettes. Members of the Hindu community contacted the Race Relations Commissioner and the New Zealand Press Council saying that trivialisation of the Hindu goddess was disrespectful and insensitive.

Responding to the incident, Dame Susan Devoy said that mainstream media needed to demonstrate greater awareness around the sensitivities of what is sacred to people of different religions and cultures and that editors needed to make a real effort to represent all communities respectfully.

Following community feedback, the illustration was pulled from the newspaper's website. The newspaper also accepted an invitation for the writer of the article to participate in a panel discussion on media and religion at the New Zealand Diversity Forum.

Urgent need to curb racial harassment online

Online media continues to be a growing space for racial harassment, with the Human Rights Commission receiving reports of harmful speech and racially offensive content posted on social networking sites such as Facebook and Twitter, as well as blogs, online discussion forums and comment boards. What makes online media such a prime place for racial bullying is that information is easy to create and disseminate and the author can often remain anonymous. Even when alerted, some website hosts and Internet service providers fail to remove or moderate clearly offensive material.

In 2013, a Harmful Digital Communications Bill was introduced to Parliament setting out a range of measures to combat cyber-bullying and digital harassment. Under the proposed new laws, those responsible for harmful digital communications could receive up to three months in jail or a \$2000 fine. Courts would have the power to order individuals, Internet service providers and social media sites to remove or correct harmful material, apologise, give complainants a right of reply, and disclose the identity of anonymous sources.

The Law Commission undertook a comprehensive review of media regulation in the digital age, recommending that a single, independent watchdog for print, broadcasting and online news be introduced. The Government opted not to implement its recommendations.

The issue of racial harassment via the Internet was identified during its Universal Periodic Review of human rights. The UN Human Rights Council has recommended New Zealand take action to develop a legislative framework for addressing incitement to racial hatred on the Internet.

What you can do – guidelines from the Human Rights Commission if you come across offensive material:

1. If you feel personally threatened by the comments, contact the Police.
2. Report the material to the social media organisation involved (Facebook, YouTube etc) using the site's own reporting system.
3. If nothing happens through the site's own process, contact your internet service provider.
4. For further advice on reporting or challenging offensive online comment, see www.netsafe.org.nz.

Comment fails to breach media standards

During a live broadcast from Riccarton Park racecourse, one of the hosts of the ZM drive show said to her co-hosts, "You've obviously watched the race. I know you haven't put any bets on because you're both Jews." The Broadcasting Standards Authority did not uphold the complaint saying that while the comment was ignorant and perpetuated stereotypes it did not reach the high threshold necessary for encouraging the denigration of, or discrimination against, Jewish people as a section of the community.

Press Council uphold race complaints

The Press Council upheld a complaint that a *Waikato Times* article placed unnecessary emphasis on the race of two men found guilty of rape. The men were described by the paper as being of Fijian-Indian descent. The Council upheld the complaint that the pair's ethnicity was of no relevance to their crime and reference to it was gratuitous.

It also firmly criticised an article in *The Press* (Weekend) newspaper which implied that an increase in chlamydia in the Canterbury region was linked to Irish workers. The Council said that the link between Irish nationals and the sexual health statistics was of the newspaper's making and not supported by any reported information. It also said that a cartoon accompanying the article was inappropriate and offensive to many.

Te rangahau whānui o te rerekētanga

Diversity research

Overview

Aotearoa New Zealand continues to become more culturally, ethnically, linguistically and religiously diverse. Diversity research is required to ensure Aotearoa New Zealand remains innovative and competitive on the global stage, while safeguarding social cohesion and wellbeing across our varied communities.

This year's body of research relating to ethnic and cultural diversity provides knowledge that can feed and inform the work of policy and decision-makers at the highest levels.

Diversity researchers face a number of challenges. These include ensuring there is increased synergy between researchers and stakeholders as well as addressing the gaps in the production, distribution and application of research by decision-makers. Sufficient funding also continues to be a serious challenge, impacting on the topics selected and the depth of research available. For example, diversity is not recognised in the National Science Challenges, despite being a fundamental area of required focus for Aotearoa New Zealand over the next 20 years.

The following is a summary of some of the cultural diversity research published in 2013. It was compiled by Alicia Arnold, Centre for Applied Cross-Cultural Research, Victoria University of Wellington. Emerging projects and papers on cultural diversity in Aotearoa New Zealand can be accessed on the CACR website: www.victoria.ac.nz/cacr.

Contributed by Professor Colleen Ward, Centre for Applied Cross-Cultural Research, Victoria University of Wellington.

University Research Units

Centre for Applied Cross-Cultural Research,
Victoria University of Wellington

Multiculturalism: The cause of social problems or the cure for social ills?

This paper examines multiculturalism and its impact on the psychological wellbeing of immigrant youth. Three aspects of multiculturalism are investigated: cultural diversity in the population; multicultural policy and the psychology of everyday multiculturalism (positive and negative attitudes toward immigrants). Alongside the negative effects of perceived discrimination, the results showed that: 1) diversity per se was associated with negative outcomes for immigrant youth (i.e. predicted lower levels of self-esteem); 2) multicultural policies were associated with positive outcomes (i.e. predicted higher levels of self-esteem; and 3) widespread negative attitudes towards immigrants were associated with negative outcomes (i.e. predicted lower levels of life satisfaction). The research directly addresses controversies about multiculturalism and has significant policy implications for immigrant wellbeing.

Researchers: Prof. Colleen Ward and Dr Jaimee Stuart
Contact: jaimee.stuart@vuw.ac.nz and colleen.ward@vuw.ac.nz

Mapping the psychological state of the nation: A barometer test of New Zealand's multicultural status

This study looks at differences in the way ethnic groups view ethnic equality, prejudice and intolerance; positive attitudes toward diversity; patriotism and identity. It found that expectations of race-based rejection were uncommon, intergroup feelings were generally warm, perceived threat was moderately low, expectations for future security were moderate and fairly comparable across groups, and all groups expressed high levels of patriotism. However, New Zealanders resisted a resource-specific multicultural ideology that involves race-based interventions to reduce social inequality. There was also evidence that the level of warmth toward Asian New Zealanders was lower than that toward other ethnic groups. The findings are discussed in relation to socio-political issues, including tensions between biculturalism and multiculturalism and the obstacles to reducing social inequality across ethnic groups.

Published in the International Journal of Intercultural Relations, 37(6), 700-713.

Researchers: Dr Chris G. Sibley, Auckland University and Prof. Colleen Ward, Centre for Applied Cross-cultural Research, Victoria University of Wellington
Contact: c.sibley@auckland.ac.nz

Cultural intelligence predicts intercultural negotiation effectiveness

This research project examines if cultural intelligence (CQ), an ability to adapt and perform effectively in intercultural situations, can predict effectiveness in intercultural negotiations. The researchers paired negotiators from different cultures and New Zealanders to examine the effect of CQ on intercultural negotiations. Findings show that cultural intelligence predicts intercultural negotiation effectiveness, while controlling for cognitive ability, emotional intelligence, and personality. Researchers found that overall CQ drove intercultural negotiation outcomes rather than any one particular factor. The findings also highlighted the importance of both migrants and existing New Zealanders having high cultural intelligence.

Contact: Yee-Wei Ooi yee.ooi@vuw.ac.nz and Dr Ronald Fischer ronald.fischer@vuw.ac.nz

Disabled refugees storytelling

Disabled refugees are often invisible to disability services, compounding an already difficult resettlement experience. This project looked at the reasons for the low uptake of disability services among former refugees. It recommended that steps be taken to address cultural norms about disability; to support the emergence of community leadership amongst former refugees and to review inter-agency collaboration practices to ensure that support for disabled individuals is prioritised. Using oral storytelling methodology, families who had already navigated disability services, were able to offer helpful insight into this issue and raise awareness amongst former refugee communities of the services available.

Available at: <http://tinyurl.com/refugees-stories>

Contact: Dr Annick Janson annick.janson@egl.ac.nz

School of Linguistics and Applied Language Studies, Victoria University of Wellington

Language in the Workplace

The Wellington Language in the Workplace team collected material from building sites and in eldercare facilities turning it into language teaching resources for refugees and migrants. The project developed materials on "Humour in the building and eldercare sectors" and "Language in the workplace for refugees". Because the target audience is low-proficiency English users, the materials are audio and picture based.

Contact: Prof. Janet Holmes janet.holmes@vuw.ac.nz or visit www.victoria.ac.nz/lals/lwp

School of Social and Cultural Studies, Victoria University of Wellington

New Zealand's ban on kosher slaughtering

In 2010, the New Zealand Government introduced the rule that, in the interest of animal welfare, all animals slaughtered for commercial purposes were required to be stunned before being killed. This rule followed recommendations by the National Animal Welfare Advisory Committee and studies by veterinary scientists and it effectively banned the Jewish practice of kosher slaughtering. Members of the Jewish community went to the High Court alleging that the ban infringed on their constitutional rights. The complex issue of humane animal treatment versus civil liberties proved to be instructive as a local example of cultural politics.

Contact: Dr. Hal Levine Hal.Levine@vuw.ac.nz

Black Rainbow: Māori and Pākehā working across difference

This PhD thesis examined the impacts of colonialism on the interpersonal experiences of Māori and Pākehā involved in anarchist organising in Wellington. Research into Black Rainbow, a collective of five Māori and two Pākehā activists revealed the difficulties of working across difference in Pākehā dominated communities, where Pākehā often undermine or tokenise Māori identity, respond insensitively to Māori concerns and fail to share power.

Contact: Rachael Fabish rfabish@hotmail.com

Ngā Tāngata Oho Mairangi (NTOM), Massey University

Ngā Tāngata Oho Mairangi

This research project provides a detailed model of the significant demographic and economic changes that are altering the shape

and nature of New Zealand communities and the country's economic development. It focuses on changes at regional level over the period 1986 to 2013, and will provide projections out to 2036.

Ngā Tāngata Oho Mairangi is a two year research project led by teams from Massey University and the University of Waikato (NIDEA) and is funded by the Ministry of Business, Innovation and Employment. The research programme involves a mixed-method, multi-site approach and comprises six stages, each designed to examine population change and its impact at sub-regional levels.

Contact: Dr. Trudie Cain t.cain@massey.ac.nz or visit <http://www.ngatangata.ac.nz>

Integration of Immigrants Programme, Massey University

Superdiversity in global cities

This project looks at the nature of diversity and superdiversity in cities around the world. The project is hosted by the Max Planck Institute of Religious and Ethnic Diversity (Göttingen) and uses novel research techniques to record and explore the nature of lived/everyday diversity in cities where there are significant migrant and ethnic communities. . . Auckland has now been added as a city in the Integration of Immigrants Programme and Ngā Tāngata Oho Mairangi will contribute to comparative material on diversity in cities.

Contact: Distinguished Prof. Paul Spoonley p.spoonley@massey.ac.nz

Anti-Semitism in Aotearoa

This project updates earlier research on the nature of 20th and 21st century anti-Semitism in New Zealand. . . Some of this research appeared as a book chapter (Jewish Lives in New Zealand, edited by Len Bell and Diana Morrow), the Mina McKenzie Memorial Lecture (2013) and a report on the Jewish community in New Zealand (which followed an online survey of Jewish identity and experiences). An off-shoot of this project involves historical research on New Zealander Jim Robb's groundbreaking research on anti-Semitism in the East End of London in the 1930s.

Contact: Distinguished Prof. Paul Spoonley p.spoonley@massey.ac.nz

School of Communication, Journalism and Marketing, Massey University

Acculturative experiences of elderly Chinese immigrants in New Zealand

This study examines the acculturative experiences, filial responsibilities and intergenerational communication between elderly Chinese immigrants and their adult children in Wellington, New Zealand. The study found that levels of economic feasibility, acculturation and self-support for Chinese elderly immigrants determined the probability and desirability of living arrangements (in the form of co-residence or independent living). Changes in economic and social status, roles, intergenerational boundaries and the changed socio-cultural environments challenged the Chinese traditional concept of filial piety and weakened the ties and bonds between the elderly migrants and their adult children. The study highlights the importance of care for the general wellbeing and the quality of life of the elderly Chinese immigrants in New Zealand.

Contact: Dr. Mingsheng Li M.S.Li@massey.ac.nz

Department of Primary Healthcare and General Practice, University of Otago Wellington

The use of interpreters in general practice: Observing consultations

Communication is crucial to the doctor-patient relationship and the health outcomes of the individual. Patients that do not have adequate English to get optimal care, ideally require an interpreter. . . However, little research has been done to determine exactly how interpreted consultations are carried out, or how effective such consultations are from the perspective of all participants. . . This study, currently in progress, directly observes communication during GP consultations, where an interpreter is used. It aims to describe the key features of effective communication in interpreted consultations from the perspectives of patients, health practitioners and interpreters.

Researchers: Maria Stubbe, Ben Gray, Jo Hilder, Tony Dowell, and Lindsay Macdonald

Contact: Ben Gray ben.gray@otago.ac.nz and Maria Stubbe maria.stubbe@otago.ac.nz

Government Agencies

Office of Ethnic Affairs: Action on Diversity

Toward freedom from violence: New Zealand family violence statistics disaggregated by ethnicity

This report examines the nature and extent of family violence among ethnic groups in New Zealand, including refugees, long-term settlers and people born in New Zealand who identify their ethnic heritage as Asian, Continental European, Middle Eastern, Latin American or African. It also highlights gaps and limitations in ethnicity data collection and encourages agencies to use the Statistics New Zealand Statistical Standard for Ethnicity 2005. The report confirms that while there are significant gaps in the statistics related to family violence in New Zealand, there is sufficient data to be certain that it remains one of our most pressing social problems, with a high prevalence in the population as a whole.

Available at: <http://ethnicaffairs.govt.nz/story/family-violence-new-zealand-what-it-and-what-government-doing-about-it#How>

Contact: ethnicaffairs@dia.govt.nz

Ministry of Education

PISA 2012: New Zealand summary report

The Programme for International Student Assessment (PISA) assesses 15 year old students from 34 nations to compare how well countries prepare their students. This report provides summary statistics of New Zealand student achievement in mathematics, reading, and science scores on the international test. On average, the scores for Māori students were below both the New Zealand and OECD average and immigrant students who speak in English at home performed better than those that speak in another language.

Available at: http://www.educationcounts.govt.nz/_data/assets/pdf_file/0008/144872/1015_PISA-Summary_2012.pdf

Researchers: Steve May, Saila Cowles and Michelle Lamy

Contact: Research.Info@minedu.govt.nz

Auckland Council

"We All Get Along": Social cohesion in three Auckland suburbs

This project explores social cohesion in the Auckland suburbs of Albany, Papatoetoe and New Lynn. It examines the factors that promote social cohesion, particularly in relation to ethnicity and disability. It also considers what Auckland Council could do to further promote social cohesion, particularly between different ethnic groups and for disabled people.

Available at: www.knowledgeauckland.org.nz

Researchers: Carina Meares and Amanda Gilbertson

Contact: Carina Meares carina.meares@aucklandcouncil.govt.nz

Ethnic Precincts in Auckland

This mixed method study of ethnic precincts in Auckland will be conducted between December 2013 and August 2014. The study aims to better understand the role of ethnic precincts in Auckland communities, the experiences of business operators in ethnic precincts and extent to which these business operators are engaged with their local and international networks. Research will be focused on Dominion Road with some additional analysis of Northcote as a comparison.

Researchers: Carina Meares, Susan Fairgray, Hadyn Hitchens, Amanda Gilbertson and Jesse Allpress; Research, Investigations and Monitoring Unit, Auckland Council

Contact: Carina Meares carina.meares@aucklandcouncil.govt.nz

Non-governmental, independent and non-profit organisations

Independent Māori Statutory Board

The Independent Māori Statutory Board (IMSB) issued a discussion paper on Māori employment within Auckland Council. It called for increased employment numbers among Māori, and improved support and responsiveness for Māori employees. The paper also examined factors that may contribute to building the Māori workforce within the council and set out suggestions and policy recommendations.

Available at: www.imsb.maori.nz

Contact: Wayne Knox (wayne.knox@imsb.Maori.nz)

The Asia New Zealand Foundation

New Zealanders' perceptions of Asia and Asian peoples 1997–2011

This report found that New Zealanders' attitudes to Asian immigration and immigrants have become more positive over time, driven largely by increased contact between New Zealanders and Asians. The report uses the Foundation's "Perceptions of Asia" tracking surveys and other research to analyse changes in public opinion towards Asia over time.

Researchers: Emeritus Prof. Phil Gendall, Distinguished Prof. Paul Spoonley, and Asia New Zealand Foundation Director of Research Andrew Butcher

Available at: [http://asianz.org.nz/sites/asianz.org.nz/files/04382_](http://asianz.org.nz/sites/asianz.org.nz/files/04382_ANZF_NZ_Perception_of_Asia_1997-2011_E_Publ_FA3.pdf)

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New Zealand Red Cross Refugee Services

Refugee Services refugee health and wellbeing project summary

This project was a pilot, household-based, health education programme, to address some of the health challenges and disadvantages experienced by former refugees resettling in New Zealand.

One hundred and sixty-seven families from the Colombian, Myanmar and Bhutanese former refugee communities in Greater Wellington and Manawatū participated. The report offers numerous recommendations for agencies working with people from refugee-background communities, and includes key changes and the factors contributing to these changes.

Available at: <https://www.redcross.org.nz/yk-files/1294c47b69c75e44393c8af4edbc6473/Red%20Cross%20Health%20and%20Wellbeing%20Project%20Report%20-%20November%202013.pdf>

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