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Introduction

Mihi

E ngā mana,	All authorities,
E ngā reo,	All voices,
E ngā karangatanga maha,	The many affiliations,
Tēnā koutou.	Greetings.

I have spoken these words in New Zealand’s indigenous language, te reo Māori. Te reo Māori is an official language in New Zealand and we are proud of it. We are working to ensure it is a thriving, living language. This is particularly appropriate given it is the International Year of Indigenous Languages.

Mr President, distinguished representatives of Member and Observer States of the Human Rights Council, I am honoured to be here for New Zealand’s third Universal Periodic Review.

My name is Andrew Little and I am the Minister of Justice, for Courts, and Treaty of Waitangi Negotiations for the New Zealand Government. I am also the Minister responsible for New Zealand’s intelligence agencies.

I am joined today by:

- Jillian Dempster, New Zealand’s Permanent Representative to the United Nations in Geneva
- Andrew Kibblewhite, Chief Executive of the Department of Prime Minister and Cabinet, and
- Rajesh Chhana, Deputy Secretary, Justice Policy for our Ministry of Justice.

We look forward to engaging in an open discussion about New Zealand’s human rights record.

Changes since second UPR

Since New Zealand’s second UPR in 2014, New Zealand has had significant political change. After the General Election in September 2017, the New Zealand Labour Party formed a

coalition Government with the New Zealand First Party and with the support of the Green Party of Aotearoa New Zealand. This marked a change in direction after nine years of a centre-right Government.

Today I will share some of our human rights achievements, as well as acknowledge where we must still improve.

I will discuss:

- issues facing Māori, and how we are addressing social differences for, and discrimination against, the Māori population
- how we are working to improve the wellbeing of New Zealanders and their families
- our justice system and the challenges we face with high levels of incarceration
- how we are addressing our high levels of family violence, and
- issues facing women in New Zealand.

These are also some of the key issues that were raised in our 2014 UPR examination. Today, I will speak to our progress on the recommendations from that review, which are also discussed in our national report.

Our report was drafted following a nationwide public consultation process to seek views on human rights issues that are important to New Zealanders. We held public meetings across the country and visited secondary schools to hear from students and young people. We welcomed the input from many civil society individuals and organisations into New Zealand's UPR process and look forward to continuing to work together as we implement future recommendations.

I will first outline some important context.

Context

New Zealand is a diverse Pacific nation. We are proudly multicultural, with over 200 ethnic groups and 160 languages.

New Zealand has specific constitutional relationships with the Cook Islands and Niue, as well as Tokelau, as part of the Realm of New Zealand.

New Zealand has a long history of commitment to human rights and fair treatment for all our citizens. We have actively participated in and supported the work of the United Nations. We are a small country, but we have never been afraid to speak out about what is just and right.

New Zealand is also strongly committed to sustainable development at home and internationally, and supports the 2030 Agenda.

The principles behind the Sustainable Development Goals are embedded in New Zealand's domestic policies. The Goals also provide a framework for our international development cooperation, especially in the Pacific, and other international engagement.

We often say that New Zealand is an egalitarian nation. However, there are areas in which we are falling short of our aspirations and our reputation, which I will discuss today.

New Zealand is founded on a partnership between Māori, the tangata whenua, indigenous people, of New Zealand and the Crown (or Government). In 1840 our founding constitutional document, Te Tiriti o Waitangi (the Treaty of Waitangi), was signed. The intent was to formalise an enduring partnership between Māori and the Crown. The Treaty encompasses both individual and collective rights and provides a framework for the State to promote, protect and respect indigenous rights.

Today, the Treaty is recognised for its constitutional significance and historical and continuing importance. However, the Government breached its obligations. The rights of Māori were largely ignored for generations. Oppression of Māori voices made Māori strangers in their own lands. They were denied the opportunity to participate meaningfully in Government decision making. The impacts of colonisation continue to be felt today, through entrenched structural racism and poorer outcomes for Māori.

We continue to have work to do to ensure there is active partnership between the Government and Māori, consistent with the Treaty.

Indigenous rights

Under the Treaty, the Government has an active duty to protect the interests of Māori in their lands and taonga (treasured possessions, including culture and language). The Government must also carefully weigh Māori interests in light of other policy factors.

Successive governments have committed to providing a platform for new and continued relationships with iwi Māori (Māori tribes). Providing redress for the historical actions and inaction of the Crown through Treaty settlements is crucial for addressing historical Treaty grievances. Treaty settlements are comprehensive agreements, with legal force, that settle all of a Māori claimant group's historical claims against the Government. Settlements usually include a Government apology to the claimant group for the Government's actions (or inaction), and cultural, financial and commercial redress. The apology is a valuable way to help restore the mana (esteem) of the Government and begin to build a new partnership.

Sixty-one percent of Treaty settlements are now complete. While continuing to focus on remaining settlements, we are also moving to a post-settlement phase. This is why we have established a new Māori/Crown relations portfolio, Te Arawhiti meaning "the bridge" between Māori and the Crown. Te Arawhiti is aimed at fostering a healthier relationship

between the Treaty partners. We want to improve the way Government engages with Māori.

The new portfolio is an acknowledgement that, although we are not there yet, we are beginning to shift our focus from the wrongs of the past, to improving outcomes for Māori for the future. The damaging effects of colonisation are still being felt today, with Māori facing considerable disadvantages. If we are to address the seemingly intractable problems facing some Māori, like the disproportionate representation of Māori in state care and in our prisons, then we need to work constructively with Māori to find solutions.

Structural discrimination and marginalised groups

We know that some New Zealanders face more barriers than others. Māori and Pacific populations have experienced longstanding disparities. For example, Māori life expectancy is lower and unemployment rates are higher.

Our LGBTQI community, new migrants to New Zealand, and the many New Zealanders living with disabilities also face discrimination and challenges that many of us do not. For example, our LGBTQI community encounters higher levels of violence. Disabled people in New Zealand have less access to paid employment but higher living costs. Also, while New Zealand has been held up as a leader in gender equality, women are still not on an equal footing with men in our society.

These inequities stem from both direct and structural discrimination. This is unacceptable. The Government wants everyone to feel welcomed and protected, and to enjoy good health, education, a good standard of living and the same opportunities. It is also in everyone's best interests to have a diverse, inclusive and thriving New Zealand.

We are trying a range of approaches to tackle these disparities, recognising that it will take time to overcome them. Inequities are caused by a complex range of factors. For example, children report experiences of racism and bias in the education system. There is also entrenched bias in the justice and health systems. Poverty, housing quality and family violence also impact heavily on disparities, which I will speak to soon.

We are taking substantial actions to address inequity and discrimination. We are looking closely at inequities in mental health for Māori and other groups. We are reviewing our criminal justice system, with a focus on the disproportionate representation of Māori, and the role that colonisation, structural discrimination, and intergenerational trauma have played in that. We plan to specifically acknowledge gender identity, in addition to sex, as a prohibited ground of discrimination in our law. We are currently exploring ways to reduce violence, abuse and neglect of disabled people.

While New Zealand has a very good human rights record, we freely acknowledge we must do more to eradicate the barriers that lead to persistent inequity.

Improving wellbeing

Tied to this is the concept of wellbeing, which is at the core of this Government's vision. Wellbeing encompasses material conditions, quality of life, and physical and mental health. New Zealanders should be able to live great lives, as part of equitable and prosperous communities.

We will be the first country in the world to deliver a "Wellbeing Budget". We will report our progress against measures that highlight the health and wellbeing of our people, environment and community. This is because our Government believes that success should be measured in more than just economic figures. The Wellbeing Budget will embed the notion of wellbeing into New Zealand's public policy.

In the eyes of this Government, wellbeing means that every New Zealander:

- has access to world-class education and healthcare
- lives in a healthy home and a safe community, and
- is able to realise their potential.

Since taking office, the Government has prioritised measures that advance these goals.

Education

For example, New Zealand has a high quality education system, but we know we can do more to achieve equitable and excellent outcomes for all learners. We have been looking closely at the needs of Māori and Pacific learners, disabled students, and those who need extra learning support. We are introducing a new workforce of teachers in schools to ensure children with diverse learning needs get the support they need to learn. In the first phase, 600 learning support coordinators will be employed from the beginning of 2020.

We are also reducing barriers to post-school education by offering free tertiary education for new students in their first year (increasing to three years over time).

These changes will allow the education system to bring out the best in everyone, providing learners with opportunities so they can discover and develop their full potential.

Employment

As well as supporting people to learn, we are committed to helping New Zealanders into paid employment.

We have a comprehensive regional economic development programme which focuses on realising the potential of New Zealand's regions outside our major metropolitan areas. This

programme intends to create economic opportunities and strengthen social capability and capacity. We are investing in projects that will:

- increase productivity
- create employment opportunities
- raise incomes
- promote Māori development, and
- improve connectivity and transport in regional areas.

As a Government, we are committed to the idea that no matter where people live, whether it be a large city or rural area, they should all have a reasonable ability to live, work and be part of New Zealand society.

Rural areas have higher rates of youth who are not in employment, education and training. The rates are also disproportionately higher for Māori and Pacific peoples. To support these young people, we have invested in innovative schemes to tackle youth unemployment like Mana in Mahi (Strength in Work), which helps young people into apprenticeships.

Carers and families

New Zealanders who spend their time caring for others have not always had the support they need. We want to change this, so we are developing a new action plan to support the thousands of New Zealanders who care for friends or family because of a health condition, injury or disability.

Because we value carers, we have also increased New Zealand's paid parental leave entitlement from 18 weeks to 22 weeks, with a further increase to 26 weeks next year. This law change reduces financial stress for working families and provides valuable support in the crucial early stages of their children's lives.

The paid parental leave increase is part of our new Families Package, which also boosts the income of low and middle-income families and introduces a tax credit to help with costs in a child's early years.

Children

Delivering better outcomes for families is linked to our strong commitment to achieving a significant, sustained reduction in child poverty. We want New Zealand to be the best place in the world to be a child. Between 135,000 and 210,000 children are currently living in poverty or hardship.

To help address this, our new Child Poverty Reduction Act sets out a framework for holding ourselves accountable for reducing child poverty and improving child wellbeing. We will require successive governments to set child poverty reduction targets on a number of

measures. We will report on progress towards these targets every year, and report on how new spending initiatives will reduce child poverty through every Budget process.

We are also developing New Zealand's first Child and Youth Wellbeing Strategy. It will bring a focus on children and their families and whānau across government. The Strategy will identify how we intend to improve the wellbeing of all children, and will have a particular focus on improving the lives of children in poverty, and those facing additional challenges and disadvantages.

Consultation with children, Māori, and the public is an important part of the development of the Strategy. We will be publishing the first Child and Youth Wellbeing Strategy this year.

Housing

Wellbeing also means that every New Zealander has a safe, warm, dry home. This includes people who are renting. This may seem basic, but it is something that some New Zealanders are not currently enjoying, including our most vulnerable. Too many of our houses are cold and damp, leading to preventable diseases. This is why we introduced the Healthy Homes Guarantee, requiring landlords to properly insulate, heat and ventilate rental properties. We are also supporting people to stay warm through innovative Winter Energy Payments, to help New Zealanders with the cost of winter energy bills.

A home to call your own is something that has always been greatly valued by New Zealanders. However, this has become increasingly difficult in our country with the rising cost of housing. Housing demand and needs in New Zealand outstrips supply. Home ownership rates are falling. The Government is determined to help New Zealanders realise their dream of home ownership through initiatives like Kiwi Build, a work programme that will deliver affordable, good quality homes for first home buyers. We are also increasing public housing significantly over the next four years.

Environment

The environment in which you live is just as important as the house you live in. New Zealand is known as clean and green, and we want to maintain this reputation. Although New Zealanders enjoy a high quality environment, this environment and our natural resources are under increasing pressure. Climate change also has significant impacts on the cultural, economic and social rights of New Zealanders. We are committed to upholding high environmental standards, domestic and international action on climate change, and transitioning towards a low-emissions, climate resilient economy.

Health

Integral to wellbeing is living in a healthy and safe community. We are working to ensure healthier communities by investing in critical public health services – rebuilding hospitals, expanding our nurse workforce and investing in mental health services.

We acknowledge that New Zealand has a problem with mental health. Our suicide rate is unacceptable. Mental health services are stretched and demand has grown. We need to improve the lives of the thousands of New Zealanders who have mental health issues. To this end, we conducted a ministerial inquiry into mental health and addiction. It looked at equity of access to services, better outcomes and also covered suicide prevention. The Inquiry found inequalities within the system and mental health outcomes, especially for Māori. In response to the United Kingdom's advance question, we are reviewing the Inquiry's recommendations and will be responding formally to them in March. We will use the recommendations to drive the change needed to address our mental health issues. The Government is also committed to supporting other measures to tackle our troubling suicide rates.

Safer communities/reducing crime

To make our communities safer, we are focusing on reducing crime through early intervention and positive engagement with those people most at risk of harm from addiction, offending and victimisation. These people at risk are often families and young people who suffer deprivation or are on the periphery of gangs which are involved in criminal offending. It is through early engagement that we can best stop intergenerational cycles of trauma, offending and imprisonment.

Justice system

The Government cannot achieve our goal of making New Zealand the best place in the world to live and raise a family without addressing head-on the challenges presented by our justice system. It is fair to say that our justice system is broken. We have one of the highest incarceration rates per capita in the world, and it has risen in recent years. Māori are disproportionately represented at every stage of our criminal justice system, both as offenders and victims. We are struggling with prison capacity and prisoner violence. Ninety percent of prisoners have a lifetime diagnosis of mental health or substance use disorder.

The Government is deeply concerned about the effects of this on communities, families and society. We have promised New Zealanders that we will effect transformational change of the justice system. To achieve this we have initiated a programme called *Hāpaitia te Oranga Tangata* (safe and effective justice). Its goals include reducing offending and thereby the prison population by 30 percent within the next 15 years.

Because we want any programme of change to be sustainable and inclusive, we are working with Māori and communities along the way. We held a Criminal Justice Summit last year, in which we heard from Māori, victims, practitioners, former criminals and justice representatives who have first-hand experience of how to improve the system. The key

message that emerged was the importance of partnering with Māori to ensure solutions work for Māori.

Workshops and a victims' conference will follow this year, and we have established an expert advisory group that is working with justice interest groups and experts across New Zealand. This engagement will inform decisions on substantive options for change. In the meantime, we are focussing on preventative measures like the improvements in mental health services. For those already in the justice system, we are looking at ways to address re-offending, particularly of Māori, and to improve rehabilitation and reintegration programmes.

We are committed to confronting the challenges posed by our justice system with a hope and belief that we can, and should, do better for New Zealanders now, and for future generations.

Family Violence

There is no escaping the fact that New Zealand has unacceptably high levels of family violence. Family violence is the largest driver of violent crime in our country. It is one of our most serious social issues, and we know that it also drives other social issues.

One in three women in New Zealand experience physical, emotional or sexual violence from a partner in their lifetime. Women are twice as likely to suffer partner abuse than men. Māori women, queer women, trans women, women living with a disability and young women experience more violence, and are more likely to be re-victimised by current systems.

This Government is determined to ensure that New Zealanders can live free from violence. Our system is failing New Zealand women, girls and families. We need to transform our system by focusing on prevention, early intervention, integrated responses and new approaches to service delivery.

Last year, we passed legislation that allows victims of family violence to take a new type of leave from their employment, separate from sick leave or annual leave, to help support them out of violent situations. This is a world first.

We have passed new family violence legislation, which will come into force this year. This legislation aims to:

- keep victims of family violence safe
- hold perpetrators to account, and
- promote consistent, collaborative responses to people experiencing family violence.

We have established a dedicated role in government to oversee the response to family and sexual violence, and provide a single point of accountability. We are also engaging the public on a national strategy and action plan to address violence and abuse issues.

We are determined to break the cycle of family and gender-based violence in New Zealand, and prevent victims from becoming perpetrators across generations.

Women

New Zealand has always been a proud leader in promoting the rights of women. We were the first country in the world to give women the right to vote. We are often applauded for the number of women who hold some of the highest offices in our country. Our current Prime Minister, Rt Hon Jacinda Ardern, is not only our third female Prime Minister, but also only the second in the world to give birth while in office.

We celebrate New Zealand's historic achievements in gender equality. However, we can do more to ensure a truly inclusive and fair society. I have acknowledged our severe problem with gender-based violence. Māori, Pacific, migrant, refugee women, and women with disabilities still have poorer outcomes. Women are still concentrated in lower-paid occupations while also doing the majority of unpaid caring responsibilities. Although New Zealand has one of the lowest gender pay gaps in the world, we are committed to decreasing it further.

The Government has a strategy to support the appropriate valuation of New Zealand women's contribution in the labour market, including introducing an equal pay bill last year.

Although there are issues to address, New Zealand still has much to celebrate. Women hold nearly half of senior Public Service leadership positions, and make up nearly half of New Zealand's State sector boards. Women also make up nearly 40% of our Parliament – the highest level ever.

Conclusion

Mr President, I would like to restate the New Zealand Governments' continuing commitment to human rights. We are proud of our record as a contributor, nationally and internationally to human rights. We look forward to engaging with you to continue to better protect and promote the rights of New Zealanders.

Thank you.