



## **New Zealand's 5<sup>th</sup> periodic review under the United Nations Convention on the Rights of the Child**

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*Submission of the New Zealand Human Rights Commission to the Committee on the Rights of  
the Child's Pre sessional meeting*

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The New Zealand Human Rights Commission is an independent Crown entity pursuant to the Crown Entities Act that derives its statutory mandate from the Human Rights Act 1993. The long title to the Human Rights Act states it is intended to provide better protection of human rights in New Zealand in general accordance with United Nations human rights Covenants and Conventions.

**Contact Persons:** David Rutherford  
Chief Commissioner  
DavidR@hrc.co.nz

Janet Anderson-Bidois  
Chief Legal Adviser  
JanetAB@hrc.co.nz

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## **Background**

1. The New Zealand Human Rights Commission (“Commission”) is an independent Crown Entity pursuant to the Crown Entities Act that derives its statutory mandate from the Human Rights Act 1993 (“HRA”). The long title to the HRA states it is intended to provide better protection of human rights in New Zealand in general accordance with United Nations human rights Covenants and Conventions.
2. The Commission welcomes the opportunity to make this initial submission for consideration during the pre-session on New Zealand’s fifth periodic review under the United Nations Convention on the Rights of the Child (“CRC”).
3. In February 2011 the Office of the Children’s Commissioner established a non-government sector group, the UNCROC Monitoring Group (UMG) to monitor the implementation of the CRC. The Commission is a member of the UMG. The UMG has provided a submission to the Committee, which the Commission has contributed to.
4. For the purposes of the pre-session, this submission has been designed to complement the UMG’s submission and the submission of the Children’s Commissioner. The Commission endorses both the UMG and Children’s Commissioners submissions. The Commission also notes that a comprehensive NGO Alternative Report, prepared by Action for Children and Youth Aotearoa, will also be submitted to the Committee for consideration at the pre-session.
5. The submission is divided into two sections:
  - The first section of the submission highlights issues that the Commission wishes to draw to the Committee’s attention.
  - The second section sets out a further analysis of implementation progress across the CRC reporting areas. It does not cover all areas and is to be read alongside the UMG and Children’s Commissioner’s reports.
6. The Commission will provide the Committee with a further report that will provide updated information concerning each of the CRC reporting areas prior to Committee’s examination of New Zealand during the Committee’s 73<sup>rd</sup> session.

## **Section 1:**

### **Reform of child protection services – funding models and service delivery**

7. Since the CRC issued its most recent set of Concluding Observations on New Zealand in February 2011, the child protection sector has been subject to ongoing reform. This

commenced with the Government Green Paper on Vulnerable Children, issued in 2011, and the resulting Children's Action Plan and Vulnerable Children Act 2014. These initiatives have resulted in a number of significant changes, such as the introduction of multi-disciplinary professional teams to selected regions in order to enhance service delivery co-ordination to vulnerable children and regulations that enable greater information sharing capabilities between Government agencies.

8. In 2015, the Government initiated a major review of Child, Youth and Family (CYF), the Government agency that delivers child protection and youth justice services. The Expert Panel appointed to conduct the review is charged with recommending steps to modernise CYF and improve its performance. The Expert Panel has recently released its interim report which has identified a number of critical shortcomings in CYFs performance, including a finding that children are not placed at the centre of its practice.
9. One of the significant structural aspects of the review is that its terms of reference signal a possible shift towards an "investment approach" to funding child protection and welfare related services and the more extensive use of outsourcing of some service delivery and operations that are currently delivered by CYF<sup>1</sup>.
10. The review of CYF is occurring against the backdrop of the possibility of widespread reform of the social sector, which includes health, education and welfare services. The basis for such reform is provided in an extensive report, *More Effective Social Services*, issued in June 2015 by the Productivity Commission. This report recommends, among other things:<sup>2</sup>
  - A move towards devolved service provision to address the needs of the most disadvantaged New Zealanders.
  - The implementation of a new "Investment Approach" for funding social services, which includes actuarial methodologies.
  - A greater emphasis on the responsibility of central government for system stewardship in the social services sector.
11. The review of CYF indicates that the child protection sector may be the first social services sector where some of these new approaches are structurally implemented. In particular, a new "investment approach" to funding, based on an actuarial valuation model, will engage the Government's implementation and resource allocation obligations under Article 4 of the Convention.
12. This issue is timely when considered against recent international child rights developments. The Commission notes that the Committee is developing a General

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<sup>1</sup> Terms of Reference for the Modernising Child, Youth and Family Expert Panel, page 2 and 4

<sup>2</sup> <http://www.productivity.govt.nz/sites/default/files/social-services-final-report-summary-version.pdf>

Comment on Public Spending on the Rights of the Child and has released a draft version for comment.<sup>3</sup> The Commission further refers to the recent focus of the UN Human Rights Council and the Office of the High Commissioner for Human Rights on “better investment in the rights of the child”.<sup>4</sup>

13. The New Zealand Government is yet to develop a budgetary mechanism to enable it to specify allocations targeted at children, track the implementation of those allocations, and monitor results and impact, as the Committee recommended in 2011<sup>5</sup>. Assessing the children’s rights impact that a new funding model may have on children who come into contact with the child protection sector will therefore be difficult given current structural limitations.
14. However, the introduction of a new funding model also provides an opportunity for a child’s rights impact assessment (CRIA) mechanism to be developed and incorporated within its framework. The Commission notes that the Committee has indicated in its Draft General Comment on Public Spending and the Rights of the Child that CRIsAs have an important function in budgetary and spending processes, particularly those should focused on children in vulnerable situations.<sup>6</sup>
15. In addition, any movement to outsource the delivery of child protection services to private for-profit providers, ought to involve consideration of the application of the UN Guiding Principles on Business and Human Rights (UNGPs) to the reform process. This issue was traversed in the Committee’s previous examination of New Zealand, where it noted that the New Zealand Government had yet to adopt corporate social responsibility parameters based on the UNGPs and accordingly encouraged the establishment of regulations to do so.<sup>7</sup>
16. The New Zealand Government is yet to take any concrete steps towards incorporating the UNGPs within its policy and regulatory frameworks. The Commission considers that the Government’s apparent policy direction as regards the funding and delivery of CYF services, and other social services that are delivered to children, provides a compelling basis for such steps being taken.
17. Furthermore, application of the UNGPs would support the inclusion of children’s rights compliance and monitoring mechanisms within the terms of any instrument that delegates functions from a central government agency to an external commissioning or service delivery agent.

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<sup>3</sup> General Comment No 19 (2016): *On Public Spending and the Rights of the Child*, Draft Version 11 June 2015, CRC/C/GC/19

<sup>4</sup> A/HRC/28/33, A/HRC.30/62

<sup>5</sup> CRC/C/NZL/3-4 paragraphs 16 and 17

<sup>6</sup> General Comment No 19 (2016): *On Public Spending and the Rights of the Child*, Draft Version 11 June 2015, CRC/C/GC/19 paragraph 55

<sup>7</sup> CRC/C/NZL/3-4 paragraphs 23 and 24

18. New Zealand has agreed to the United Nations Sustainable Development Agenda. At this time the 17 SDG Goals and their related targets are agreed and indicators are being developed. The Danish Human Rights Institute has developed a useful resource that highlights the relevant human rights conventions to the related goals and targets.<sup>8</sup> The member states of the United Nations have agreed that data will be collected for each of the agreed indicators and that data on children and other vulnerable groups will be disaggregated. It will be clearer by the time of the review by the CRC of New Zealand how New Zealand intends to implement this obligation but if done comprehensively there is significant potential for the SDG data to inform CRC reviews.

### **Recommendations for the Committee**

19. **The Committee may wish to consider including the following questions in its List of Issues for the New Zealand Government:**
- **Has the Government undertaken any analysis or assessment of the child rights impact that an actuarial “investment approach” to funding is likely to have on child protection services and other social services for children, pursuant to its obligations under Article 4? If not, does it intend to do so?**
  - **What measures has the Government taken, or intends to take, to ensure that private providers delivering child protection services for children are required to do so in accordance with the Government’s obligations under the Convention?**
  - **What measures has the Government taken, or intends to take, to monitor and assess the performance of those providers in protecting and promoting the rights of children under the Convention?**
  - **Does the Government intend to take steps to ensure that social sector commissioning arrangements and instruments incorporate the UN Guiding Principles on Business and Human Rights?**

### **Systemic approaches to address the impact of child poverty**

20. Since 2011, the detrimental impact of household income poverty on the health and well-being of children has perhaps been the principal children’s rights issue in New Zealand and has generated considerable public awareness and concern.
21. This was, to a significant degree, due to a major report issued in 2012 by the Expert Advisory Group on Solutions to Child Poverty (EAG), a group of independent experts commissioned by the Children’s Commissioner. The EAG issued 78 recommendations that covered a range of areas, including social security benefits and

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<sup>8</sup> <http://www.humanrights.dk/human-rights-guide-sdgs>

tax credits, housing policy, legislative mechanisms, education and child care, health, employment and community strategies.

22. The focus on child poverty was reflected in the 2013 Universal Periodic Review of New Zealand by the UN Human Rights Council, in which 13 child poverty related recommendations were issued, all of which were accepted by the New Zealand Government.
23. As the UMG's report to the Committee indicates, the numbers of children in New Zealand who live in poor households and face material deprivation remains unacceptably high for a developed nation. The correlation between household income poverty, poor quality housing and poor child health outcomes, including hospitalisation and mortality rates, is extremely concerning and is further compounded by ethnic disparities, with disproportionate numbers of Maori and Pacific children living in households with incomes below the relative income poverty line.<sup>9</sup>
24. The Government has introduced new policy measures that reflect the EAG recommendations. These have included support for food-in-schools programmes, a small increase in social security benefits (albeit accompanied by more onerous work-testing requirements and tougher sanctions for non-compliance) and increasing the age threshold for free primary healthcare for children from 6 years to 13 years. Furthermore, following the general election in late 2014, the Prime Minister indicated that developing further strategies to address child poverty would be a major focus on the incoming Government.<sup>10</sup>
25. However, as the UMG report notes, to date the Government is yet to take any steps towards developing a systemic approach to reducing household income poverty and its impact on child health and well-being. It is notable that the EAG recommended that the Government develop a systemic, whole-of-government strategy underpinned by legislation as "a first step" in addressing child poverty.<sup>11</sup> Parliament's Health Committee also has recommended that the Government develop an action plan for reducing child poverty, with annual targets and a transparent monitoring system.<sup>12</sup> In its response to the Health Committee's recommendation, the Government did not address this recommendation directly and pointed to its work in developing the

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<sup>9</sup> UMG report to UN Committee on the Rights of the Child, 1 November 2015, p 9 - the UMG notes that over 40,000 children and hospitalized per year due to illness with a socio-economic gradient, 960 children die per year as a result of causes related to overcrowding; and Maori and Pacific children are respectively 20 and 60 times more likely to contract rheumatic fever than other ethnicities

<sup>10</sup> <http://www.stuff.co.nz/national/politics/10535794/Child-poverty-on-Key-agenda>

<sup>11</sup> Expert Advisory Group on Solutions to Child Poverty, *Solutions to Child Poverty in New Zealand: Evidence for Action*, p vii, <http://www.occ.org.nz/assets/Uploads/EAG/Final-report/Final-report-Solutions-to-child-poverty-evidence-for-action.pdf>

<sup>12</sup> Health Committee, *Report of Health Committee on Inquiry into improving child health outcomes and reducing child abuse with a focus on preconception until three years of age*, Recommendation 5

Vulnerable Children’s Bill and Better Public Services Results, among other things, as evidence of current related actions.<sup>13</sup>

26. The Vulnerable Children Act 2014 provides the basis for the introduction of a Vulnerable Children’s Plan, to be implemented by specified Government agencies. The Vulnerable Children Act enables the Vulnerable Children’s Plan to include measures to improve the economic and social well-being of vulnerable children. This provides the basis for a systemic approach to be implemented, albeit across a relatively narrow cohort of children, with the current policy definition of a “vulnerable child” limiting its application to approximately 30,000 children who are deemed to be in significant risk of harm. However, the Vulnerable Children Act does not contain a specific definition of a “vulnerable child”, which means it is possible that its scope could be expanded in the future to include a greater range of vulnerable children, including those living in poverty. The Vulnerable Children’s Plan is yet to be introduced by the Government.
27. Reducing child poverty and its effects on New Zealand children will of course require additional investment by the Government. The EAG found that actions that will have the greatest effect on child poverty and mitigating its effects, such as changes to the tax and benefit system, will require significant new public investment.<sup>14</sup>
28. The Commission refers to the Committee’s 2011 Concluding Observations in which it expressed concern that government allocations at that time were insufficient to eradicate poverty and address inequalities.<sup>15</sup> However, as noted above, the lack of a budgetary mechanism that enables child poverty allocations to be targeted, tracked, monitored and evaluated means that it is difficult to accurately ascertain the extent of the Government’s subsequent and ongoing additional spending on initiatives aimed at reducing child poverty or mitigating its effects. The introduction of such a mechanism was proposed by the EAG as part of a legislative framework to reduce child poverty rates and related outcomes, however there has been no formal Government response or apparent consideration of that particular proposal.<sup>16</sup>

### **Recommendations for the Committee**

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<sup>13</sup> Government response to Report of Health Committee on Inquiry into improving child health outcomes and reducing child abuse with a focus on pre-conception until three years of age, page 9

[http://www.parliament.nz/resource/mi-nz/50DBHOH\\_PAP25992\\_1/33af84276a8645b14543e16c411e6b2e881afa1e](http://www.parliament.nz/resource/mi-nz/50DBHOH_PAP25992_1/33af84276a8645b14543e16c411e6b2e881afa1e)

<sup>14</sup> Expert Advisory Group on Solutions to Child Poverty, Solutions to Child Poverty in New Zealand: Evidence for Action, p 33, <http://www.occ.org.nz/assets/Uploads/EAG/Final-report/Final-report-Solutions-to-child-poverty-evidence-for-action.pdf>

<sup>15</sup> CRC/C/NZL/3-4 paragraphs 16

<sup>16</sup> The EAG recommended that the introduction of legislation that would implement a systemic approach to child poverty reduction which included obligations upon the Minister of Finance to include child poverty related allocations in annual budgetary statement issued under the Public Finance Act – see EAG Working Paper 6: Legislative Mechanisms to Reduce Child Poverty, para 87 <http://www.occ.org.nz/assets/Uploads/EAG/Working-papers/No-6-child-poverty-legislative.pdf>

29. **The Committee may wish to consider including the following questions in its List of Issues for the New Zealand Government:**

- **When does the Government intend to develop, introduce and implement the Vulnerable Children’s Plan?**
- **Does the Government intend to introduce measures to address the socio-economic well-being of vulnerable children under the auspices of the Vulnerable Children Plan, and, if so, does the Government intend to broaden its scope for that purpose?**
- **If not, does the Government intend to implement a systemic child poverty strategy underpinned by legislation as recommended by the EAG?**
- **Since 2011, how much additional spending has the Government allocated for new policies specifically designed to reduce child poverty or mitigate its effects?**

### **Implementation of the Sustainable Development Goals**

30. New Zealand’s commitment to realising the UN Sustainable Development Goals (SDGs) will also have a significant bearing on its progress in implementing the CRC. Many of the SDGs have a direct correlation with the Government’s CRC obligations, such as the elimination of poverty (Goal 1), enabling good health and well-being (Goal 3), ensuring inclusive, quality education for all (Goal 4) and reducing inequalities (Goal 10).
31. Progress towards meeting the Goals aimed at addressing climate change and environment protection (Goals 13-15) and providing for sustainable resource use and communities (Goals 6-7,11-12) will also be crucial if children’s rights under the CRC are to be realised in the future.
32. The incorporation of the SDGs into the New Zealand public policy framework is currently at a very early stage. As a developed country, New Zealand will be expected to report on its sustainable development indicators<sup>17</sup>. These indicators, which are being developed by the UN with the assistance of national statistics commissions, including Statistics New Zealand, will provide an international benchmark that will assist with the assessment of measures taken to implement the CRC.
33. The Government is currently undertaking a significant amount of work to upgrade and improve its data usage and capabilities. The Data Futures Partnership (DFP), currently being developed by Statistics New Zealand, will be at the centre of this work. The DFP consists of a cross-sector Working Group of “influential individuals” drawn

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<sup>17</sup> [https://sustainabledevelopment.un.org/content/documents/1684SF\\_-\\_SDG\\_Universality\\_Report\\_-\\_May\\_2015.pdf](https://sustainabledevelopment.un.org/content/documents/1684SF_-_SDG_Universality_Report_-_May_2015.pdf)



from the government and non-government sectors, supported by a Secretariat based at Statistics New Zealand to support the DFP work programme. The DFPs mandate includes the development of data use projects that allow progress on system-wide public sector issues.

34. The development of SDG indicators and the concurrent development of the DFP provides a timely opportunity to improve the New Zealand Government's data collection practices data on children and outcomes for children, which currently are not disaggregated in a manner that is compatible with the CRC framework. The Committee noted its concern at this incompatibility in its 2003 report on New Zealand and recommended that the New Zealand Government develop a system of data collection that covers all the CRC's areas, with particular attention paid to collection of disaggregated data concerning Maori children.<sup>18</sup>
35. In addition to the development of sustainable development indicators and related data collection practices, the SDGs will also need to be supported by an effective, formal accountability framework to ensure that a sustained commitment is made. Former UN Special Rapporteur on the Right to Health Professor Paul Hunt has observed that monitoring indicators constitutes a step towards the development of an accountability process, but does not constitute an accountability process in itself.<sup>19</sup>
36. The Commission considers that SDG indicators relevant to child rights outcomes should therefore be considered for inclusion in any future developments that may arise or derive from the Government's CRC Work Programme.

### **Recommendations for the Committee**

37. **The Committee may wish to consider including the following questions in its List of Issues for the New Zealand Government:**
  - **What steps is the Government taking to incorporate the UN Sustainable Development Goals into its public policy framework, in particular with regard to policies that directly or indirectly affect children?**
  - **What progress is being made towards a developing a system of data collection and indicators that conforms with the requirements of the CRC?**
  - **How does the Government intend to monitor and review its progress in meeting its child rights related commitments under the SDGs?**

### **Section 2:**

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<sup>18</sup> CRC/C/15/Add.216, page 4, paragraphs 16 and 17

<sup>19</sup> Hunt P, SDG Series: SDGs and the Importance of Formal Independent Review: The Opportunity for Health to lead the way, 2 September 2015, <http://www.hhrjournal.org/2015/09/02/sdg-series-sdgs-and-the-importance-of-formal-independent-review-an-opportunity-for-health-to-lead-the-way/>

## 1 General Measures of Implementation (Articles 4, 42, 44)

### A. Reservations - Background Information

**Relevant provision of the CRC:** Articles 2, 4

**CO 2011:** The Committee reiterates its previous recommendations and urges the State party to:

- (a) Withdraw its general reservation and its reservations to article 32, paragraph 2 and 37(c); and
- (b) Extend the application of the Convention to the territory of Tokelau.

**UPR Recommendation:** Consider an eventual withdrawal of New Zealand's reservations to the Convention on the Rights of the Child (Brazil)

**Government Response:** New Zealand accepted this recommendation stating:

*The Immigration Act 2009 protects education providers from prosecution where they enrol children who are unlawfully in New Zealand. This change supports any future decision by New Zealand to withdraw the reservation to Article 2.*

**Subcommittee on the Prevention of Torture ("SPT") Recommendation:**

- (a) Consider withdrawing its reservations to UNCAT, article 14 and **CRC Article 37(c)**

**Government Response to SPT:**

*The Ministry of Health has issued guidelines to assist district health boards (DHBs) and mental health service providers to comply with the non-age-mixing provisions of article 37(c) of the CRC. The guidelines also describe the Ministry's expectations in situations where it is considered in the best interests of a child or young person under 18 years to be placed in an adult ward.*

*General reservation*

38. In its 3<sup>rd</sup>/4<sup>th</sup> periodic report, the Government stated:<sup>20</sup>

<sup>20</sup> <http://www.justice.govt.nz/policy/constitutional-law-and-human-rights/human-rights/international-human-rights-instruments/international-human-rights-instruments-1/procedures-relating-to-the-core-human-rights-instruments-of-the-united-nations/documents-and-other-information-relating-to-the-core-human-rights->

*In 2003, the Government agreed to lift the general reservation subject to reports from the Ministries of Health and Education setting out changes required to facilitate compliance. In 2005, the Government agreed that current eligibility settings for access to publicly funded health and disability services for children, and maternity services for pregnant women, were compatible with the Convention.*

*A legislative impediment to accessing education services exists under the current Immigration Act 1987, as Section 6 of that Act makes it illegal for a school to knowingly enrol a child who is unlawfully in New Zealand....*

39. As the Government's 5<sup>th</sup> periodic report ("the Government Report") indicates, there has been substantive progress made in removing some of the legal and policy barriers that have underpinned the Government's general reservation. However, no formal steps have been taken to remove this reservation.
40. The enactment of the Immigration Act 2009 removed the liability of schools for prosecution for enrolling children aged under 16 who do not have legal immigration status. As noted in the Government Report, the Ministry of Education has issued a regulation, published in the New Zealand Gazette<sup>21</sup>, which has established the procedural requirements under which state schools may enroll children in these circumstances.
41. In addition, as noted in the Government Report, the *Health and Disability Services Eligibility Direction 2011* provides for children unlawfully in New Zealand to access publicly funded health and disability services in New Zealand in certain prescribed circumstances. However, this does not extend to provide a general right for children with unlawful immigration status to access free or publicly subsidised health care.

#### *Reservation to article 32 (2) – minimum age of entry into employment*

42. There has been no substantive progress made in addressing this reservation, nor has there been any substantive change in the Government's policy position on the reservation, which it has expressed in the following terms:

*"the Rights of the Child provided for in article 32(1) are adequately protected by existing law. It therefore reserves the right not to legislate further or to take additional measures as may be envisaged in Article 32(2)."*<sup>22</sup>

43. It is therefore important to emphasise that, while the Government's Report notes that "New Zealand's existing policy and legislative framework continues to provide age thresholds for entry into work in general, and for safe work", children aged under 16 have no minimum wage protection under the Minimum Wage Act 1983. Accordingly

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[instruments-ratified-by-new-zealand/documents-relating-to-the-convention-on-the-rights-of-the-child-and-the-optional-protocols/third-and-fourth-report/NZ-CRC-3rd-4th-periodic-report-2008.pdf](#) at [26].

<sup>21</sup> At [20].

<sup>22</sup> *New Zealand Handbook on International Human Rights*, New Zealand Ministry of Foreign Affairs and Trade, Wellington (2008) at 206.

the Labour Inspectorate has no authority to investigate work practices that involve exploitative under-payment of child workers.

44. Furthermore, New Zealand's current regulations that govern health and safety standards in the workplace are not CRC compliant and only provide more rigorous workplace safety standards for children aged under 15.<sup>23</sup>

*Article 37(c) – age mixing in prison/places of detention*

45. There has been some substantive progress made over time to enable this reservation to be lifted. The Department of Corrections has in place a “test of best interests” operational policy, the purpose of which is to assess whether an 18 or 19-year old prisoner deemed vulnerable may be held in a youth wing.<sup>24</sup>
46. Furthermore, as referred to the background information above, the Ministry of Health has developed detailed guidelines to assist District Health Boards comply with the requirements of Article 37(c). The guidelines establish a robust set of criteria that must be met before a child or young person may be detained in an adult mental health ward. External monitoring and oversight is provided by District Inspectors.
47. However, despite these policies, there have been no formal steps made by the Government towards lifting this reservation.

**Recommendations**

48. **The Committee may wish to consider including the following questions in its List of Issues for the New Zealand Government:**
  - **Given the substantive progress made towards lifting its general reservation and its reservation under Article 37(c), when does the Government intend to initiate the formal withdrawal of each reservation?**
  - **If the Government does not intend to initiate the withdrawal of its general reservation and its reservation under Article 37(c), what are its reasons and, more specifically, what legal or policy barriers to withdrawal exist?**
  - **Given the Government's reservation under Article 32.2 concerning a minimum age of entry to employment, what steps is it taking to ensure that all statutory minimum employment standards and workplace safety laws are otherwise compliant with the CRC?**

*Tokelau*

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<sup>23</sup> Health and Safety in Employment Regulations 1995, part 5

<sup>24</sup> <http://www.corrections.govt.nz/resources/Prison-Operations-Manual/Movement/M.03-Specified-gender-and-age-movements/M.03.html>

49. A number of human rights instruments apply in Tokelau through New Zealand treaty action, including the International Covenant on Civil and Political Rights (“ICCPR”) and its two Optional Protocols; the International Covenant on Economic, Social and Cultural Rights (“ICESCR”), the Convention Against Torture (“CAT”) and the Convention on the Elimination of Discrimination Against Women (“CEDAW”). However, to date the New Zealand Government has not extended the coverage of the CRC to Tokelau.

50. The Government’s Report to the Universal Periodic Review notes:

*Tokelau children and young people have access to free education up to sixteen years of age. Primary, senior secondary and foundation tertiary education is provided on each atoll. Ensuring the on-going quality of education remains a challenge because of Tokelau’s remoteness, small population and difficulties around recruiting and retaining trained teaching staff. Whilst improving, there is limited statistical data available to track student achievement and progress. A student tracking system is hoped to be in place by January 2014. Latest information from the Consolidated Sector Report for July-December 2012 indicates not all targets are being met in the education space.*

*Tokelau is committed to quality health services and education facilities for its people. Schools and hospital facilities are being upgraded and increasing emphasis is being given to primary health care efforts.*

*New Zealand is hopeful that Tokelau will focus its attention on completing the Infrastructure Development Projects (IDP), which include two schools on Fakaofu and Atafu atolls and a new hospital on Nukunonu atoll. With Tokelau’s continued efforts, the completion of these buildings will provide improved health and education services to Tokelau and Tokelauans.*

### **Recommendation**

51. **The Committee may wish to request in its List of Issues for the New Zealand Government further information on the status on the rights of children in Tokelau and any concrete steps being taken to extend the application of the CRC to Tokelau.**

#### **B. Legislation – Background information**

**Relevant provision of the CRC:** Article 4

**CO 2011:** The Committee urges the State party:

- (a) To ensure that all existing domestic legislation relating to children is consistent and is brought into compliance with the Convention and that it supersedes any existing customary law, including Maori customary law;
- (b) To ensure that the principles and provisions of the Convention and its Optional Protocols are applicable to all children in the territory of the State party;

(c) To consider all child-related legislation as a priority in the Parliament.

**UPR Recommendation:** Ensure that all national legislation currently in force relating to children is in conformity with the Convention on the Rights of the Child guaranteeing that the principles and provisions of that Convention and its protocols are applicable to every child in its territory (Uruguay).

**Government Response:** New Zealand rejected this recommendation stating:

*New Zealand continues to progress towards greater compliance with the principles and provisions of UNCROC. Where inconsistencies exist, New Zealand will take the opportunity when creating or reviewing policy and legislation to further embed the Convention's principles and provisions*

52. The Government Report states that:<sup>25</sup>

*Mechanisms are in place to assess whether new legislation is consistent with the Convention. Cabinet papers seeking approval to introduce a Bill must advise whether the Bill complies with relevant international standards and obligations. Bills must have a disclosure statement attached explaining steps taken to determine consistency with New Zealand's international obligations.*

53. While the Commission accepts that these requirements exist, in practice the Government's assessment of New Zealand's international human rights obligations in the development of legislation requires more rigor and transparency.

54. This could potentially be addressed through the development of a Child Rights Impact Assessment (CRIA) process that is systematically applied in the policy development and legislative process. The Commission refers to the Committee's General Comment No 14 on Article 3.1, which recommended that States Parties integrate CRIA processes into all levels of government decision-making, including legislation and policy formation.<sup>26</sup>

55. The Commission notes that the potential application of CRIAs in policy and legislation was due to be scoped by the Government as part of its CRC Work Programme.

### **Recommendations**

56. **The Committee may wish to consider including the following questions in its List of Issues for the New Zealand Government:**

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<sup>25</sup> At [33].

<sup>26</sup> CRC/C/GC/14, 29 May 2013, paragraph 99

- **Since 2011, how many Cabinet papers, Regulatory Impact Assessments and other disclosure statements have included reference to the Government’s compliance requirements under the CRC?**
- **Since 2011, have any Cabinet papers, Regulatory Impact Assessments and other disclosure statements identified any potential inconsistencies with the CRC?**
- **What further steps arising from its CRC Work Programme does the Government intend to take to develop a Child Rights Impact Assessment process in the formation of legislation and policy?**

### **C. National Plan of Action – Background information**

#### **Relevant provision of the CRC: Article 4**

**CO 2011:** The Committee encourages the State party to adopt a comprehensive policy and corresponding national plan of action for the implementation of the Convention and the Optional Protocol on the involvement of children in armed conflict, in cooperation with the public and private sectors involved in the promotion and protection of children’s rights and based on a child rights approach. In doing so, the State party should take into account the outcome document of the twenty-seventh special session of the General Assembly, entitled “A world fit for children”, and its mid-term review of 2007. The Committee also recommends that the State party ensure that there are follow-up and evaluation mechanisms that will regularly assess progress achieved and identify possible deficiencies to enable the full implementation of the comprehensive policy and plan of action.

57. The Government is yet to develop a comprehensive national plan of action for the implementation of the CRC. The Government Report instead refers to a variety of significant and extensive policy measures that are being taken across government to improve outcomes for children and young people, including the Better Public Service Results (BPS) and the Children’s Action Plan (CAP).
58. The BPS policy is a series of ten public sector targets set by the State Services Commission. It does not incorporate the CRC into its policy architecture or language. BPS Results 2-4 set targets related to outcomes for vulnerable children, namely higher immunisation rates, reduced prevalence of rheumatic fever and increased participation in early childhood education.
59. The CAP developed from the Green Paper on Vulnerable Children (see paragraph 7 above) is a multi-sector action plan designed to improve outcomes for “vulnerable children”, a cohort of children defined as being at risk of serious harm to their well-being. As noted above it has augmented the child protection system with a new range

of services, such as the multi-disciplinary Children's Teams and introduced new institutional capabilities, such as information sharing requirements. The Vulnerable Children's Plan, vested under the sections 6 and 7 of the Vulnerable Children's Act, is yet to be introduced (see paragraph 25 above).

## 5. Civil rights and freedoms

### **A. Fundamental freedoms – Privacy/Expression/Association/Religion**

**Relevant provision of the CRC:** Articles 13, 14, 15 and 16.

#### *Information sharing*

60. Since 2011, the introduction of enhanced information sharing capabilities amongst government agencies has given rise to issues pertaining to the rights of children to privacy under Article 16.
61. Amendments made to the Privacy Act 1993 in 2012 have introduced Approved Information Sharing Agreements (AISAs), a regulatory instrument that enables government agencies to share personal information in circumstances that would otherwise breach the Information Privacy Principles contained in the Privacy Act. AISAs are developed via a robust statutory process that is overseen by the Privacy Commissioner.
62. A Vulnerable Children's AISA was developed and passed into regulation in 2015. The AISA enables personal information on vulnerable children to be collected, stored and shared between specified Government agencies through a Vulnerable Children's database and triage hub. The information is then used to inform the delivery of services and interventions, including those of multi-disciplinary Children's Teams and improve inter-agency co-ordination.
63. The review of CYF also contemplates the introduction of predictive risk modelling to identify children who may be at heightened risk of harm.<sup>27</sup> Predictive risk modelling assigns risk through an assessment of information regarding the child's family background and circumstances, such as the existence of previous child protection interventions, drug or substance abuse and benefit history. It therefore requires personal information about the child and their family history from relevant agencies to be collected. The Commission has raised concerns with the Government's Advisory Expert Group on Information Security on the potentially discriminatory impact of predictive risk modelling, particularly if it used to target children of beneficiaries.

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<sup>27</sup> Terms of Reference for the Modernising Child, Youth and Family Expert Panel, page 2 and 4



## *Surveillance and anti-terrorism powers*

64. In addition, the rights of children under Article 16 have been more indirectly engaged by a recent raft of interim legislation that has established extraordinary mechanisms for countering foreign terrorist fighters and increasing governmental powers of surveillance.<sup>28</sup> An Independent Review of Security and Intelligence services is currently ongoing and will be releasing its findings in February 2016. The review is expected to result in a major overhaul of New Zealand's intelligence and security legislation and oversight mechanisms. To date, the potential impact of these reforms of children, particularly the children of ethnic groups who may be unduly targeted by surveillance powers, has not been accorded specific consideration.

### **Recommendations**

65. **The Committee may wish to consider including the following questions in its List of Issues for the New Zealand Government:**
- **What measures has it put in place to ensure that the rights of children are protected during information sharing processes invoked under the Vulnerable Children's AISA?**
  - **What is the status of the Government's development of a predictive risk modeling system for the child protection system and what measures will it put in place to protect the rights of children subject to it?**
  - **What measures does the Government intend to take to ensure that the rights of children are upheld and protected in circumstances where they, or their family members, are subject to surveillance or other forms of intelligence or security activity?**

### **B. Violence and abuse**

**Relevant provision of the CRC:** Article 19

**CO 2011:** Prioritize the elimination of all forms of violence against children, including by ensuring implementation of the recommendations of the United Nations Study on violence against children (see A/61/299), paying particular attention to gender.

<sup>28</sup> See for example Countering Foreign Terrorist Fighters Bill 2014.

### *Child abuse and neglect*

66. The Government has acknowledged that the rates of abuse and neglect of children poses one of the most pressing human rights challenges in New Zealand. During the 1980s, child mortality from intentional injury almost doubled<sup>29</sup> and has improved little since then. Between 2009 and 2012, there were 37 child abuse and neglect deaths.<sup>30</sup> New Zealand continues to have one of the highest child maltreatment death rates in the OECD.
67. Since 2011, the Government has introduced a range of policy measures to counter the prevalence of child abuse in New Zealand, of which the CAP is the most significant. However, the implementation of the CAP is still at an early stage and its impact in reducing rates of child abuse and maltreatment is yet to be ascertained. However, BPS Result 4 indicates a gradual fall in cases of substantiated physical abuse against children in the 12 month period to June 2015.<sup>31</sup>

### *Bullying*

68. There has been ongoing social concern regarding the prevalence of bullying in schools and its affect on children. Disabled children and young people, and same-sex attracted, both sex-attracted, trans and intersex children and young people are disproportionately affected by bullying in schools. In 2013, the Government accordingly established a Bullying Prevention Advisory Group whose members included the Secretary for Education, the Children's Commissioner, the Human Rights Commission and education sector professionals, to address the problem. The BPAG produced non-regulatory guidelines to assist schools develop and administer bullying prevention practices and programmes.<sup>32</sup> The guidelines contain reference to obligations upon schools to prevent bullying in schools under Article 29(1) of the CRC and traversed by the Committee in its General Comment No. 13 on the right if children to be free from all forms of violence.
69. However, the principal legislation governing the school sector, the Education Act 1989, does not contain any provisions that establish any explicit obligations or functions upon schools to prevent bullying, nor are any contained in the National Administrative Guidelines for schools, issued under that Act.

### **Recommendations**

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<sup>29</sup> *The Children's Social Health Monitor 2011 Update*, E Craig et al, New Zealand Child and Youth Epidemiology Service, Dunedin

<sup>30</sup> *Family Violence Death Review Committee 4<sup>th</sup> annual report* (2014, Health Quality Safety Commission

<sup>31</sup> <https://www.ssc.govt.nz/bps-supporting-vulnerable-children#result4>

<sup>32</sup> <http://www.wellbeingatschool.org.nz/sites/default/files/Bullying-prevention-and-response-A-guide-for-schools.pdf>

70. **The Committee may wish to consider including the following questions in its List of Issues for the New Zealand Government:**

- **What additional measures does the Government intend to take to reduce the prevalence of violence and abuse against children – particularly those aimed at reducing family stressors?**
- **What measures does the Government intend to take to evaluate the impact of new policies, such as the Children’s Action Plan, on reducing the prevalence of violence and abuse against children?**
- **What steps has the Government taken to systematically collect data on violence and bullying in schools; monitor the impact of the student mental health and well-being initiatives recently introduced in schools on the reduction of the incidence of violence and bullying; and assess the effectiveness of measures, legislative or otherwise, in countering violence and bullying?**

## **6. Family Environment and Alternative Care**

### **Adoption**

**Relevant provision of the CRC:** Article 21

**CO 2011:** The Committee recommends that the State party take steps to ensure that a child’s consent is required, as appropriate, for domestic adoptions. The Committee also recommends that the State party resume its review of adoption legislation and revise it, as appropriate, in order to bring it in line with the Convention as well as with the 1993 Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. The Committee further recommends that the State party lower to at least 18 years the age at which adopted children have the right to have access to their files.

71. The Adoption Act 1955 is long overdue for reform. However, there has been no substantive progress made since 2011 in reforming the Act and adopting the Law Commission’s recommendations made in 2000. Private Member’s Bills have been developed by Members of Parliament<sup>33</sup> but have not attracted the Government’s interest. Adoption numbers are at historical lows with only around 100 registered adoptions taking place in 2014.

<sup>33</sup> <https://www.lawsociety.org.nz/lawtalk/lawtalk-archives/issue-865/what-the-politicians-say>

72. In 2013, Adoption Action Inc.<sup>34</sup> applied to the Human Rights Review Tribunal for a declaration that the Adoption Act 1955 and the Adult Adoption Information Act 1985 are inconsistent with the New Zealand Bill of Rights Act and HRA, on the grounds that it constitutes unlawful discrimination on a number of grounds, including sex, marital status, race and ethnic origin, age, disability and sexual orientation.<sup>35</sup> The Commission has appeared as an intervenor in these proceedings. The Children's Commissioner also lodged a report with the Tribunal that opined that the Act was inconsistent with the CRC and other international instruments.<sup>36</sup> The decision of the Tribunal is currently pending.

## 7. Basic Health and Welfare

### Adequate Standard of Living

#### Relevant provision of the CRC: Article 27

**CO 2011:** The Committee recommends that the State party take all necessary measures to provide appropriate support to allow disadvantaged families and their children to move out of poverty in a sustained way while, at the same time, continuing to provide assistance to those who remain under the poverty line.

73. The Commission refers to its comments and recommendations set out in paragraphs 20-29 above.

#### *Housing*

74. In its report on child poverty in New Zealand, the EAG made a number of detailed recommendations to the Government of reforms to housing policy in order to improve health and well-being outcomes for poor children. As noted in the UMG report, there is a correlation between overcrowded, poor housing conditions and current levels of child hospitalisation and mortality. The EAGs recommended reforms included:
- Ensuring that all rental housing (both social and private sector) meets minimum health and safety standards, according to an agreed Warrant of Fitness, such as the Healthy Housing Index;
  - Registration or licensing of all social housing providers (state, local government and community organisations);

<sup>34</sup> Adoption Action is an incorporated society whose members include persons who have had personal experience of adoption whether as relinquishing parents, adopted persons or actual or potential adoptive parents.

<sup>35</sup> <http://adoptionaction.co.nz/wp-content/uploads/2013/12/2013-AAI-Med-Rel-Pt1A-FINAL-17-11-13.pdf>

<sup>36</sup> [http://adoptionaction.co.nz/wp-content/uploads/2014/09/50444029\\_Report-of-Children\\_s-Commissioner-HRRT-020-11\\_v1.pdf](http://adoptionaction.co.nz/wp-content/uploads/2014/09/50444029_Report-of-Children_s-Commissioner-HRRT-020-11_v1.pdf)

- Inclusion of housing as a lead priority in the National Infrastructure Plan;
- Extension of the current Social Housing Fund beyond 2015;
- Address the serious undersupply of affordable housing by increasing the number of social houses by a minimum of 2000 units per year until 2020;
- Refocus and redesign of central government funded housing subsidies (i.e. the Accommodation Supplement and Income-Related Rents) as part of a wider package of income and housing support.

### *Social security*

75. The Government's Support for Children in Hardship Bill has introduced a \$25 per week increase to parent payment and youth parent payment social security benefit. While welcome, the Bill also introduces more onerous work testing requirements for parents which further toughen the strict sanctions regime introduced by the 2012 reforms to social security legislation.<sup>37</sup>
76. The impact of sanctions on children is yet to be measured as the Ministry of Social Development does not report on the requisite data, however recent figures obtained by the media indicate that 43,000 children were affected by cuts to household income brought about by benefit sanctions in the period between July 2013 and July 2015.<sup>38</sup> A 2014 report by the Child Poverty Action Group indicated that very few sanctions are invoked as a result of failure of beneficiary parents to meet their 'social obligations' under the Social Security Act and instead are primarily used in response to non-attendance for failing to meet a work plan obligation or attend a scheduled appointment.<sup>39</sup>
77. The Social Security Act 1964 which governs the provision of social security benefits does not contain any provision that requires Government officials to consider the welfare and best interests of any affected child as part of any decision-making process under the Act, including sanctions. The EAG accordingly recommended that the Act be amended to include such a provision that requires decision-makers to give primary consideration to the welfare and best interests of the child in any decision-making process made under the Act. The Government is yet to respond to this recommendation.

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<sup>37</sup> Section 117, Social Security Act 1964 – the sanctions impose, among other things, a 50% reduction in the benefit payment until re-compliance for the first instance of non-compliance with an obligation, suspension of the benefit for a second instance of non-compliance, and cancellation of the benefit for the third instance

<sup>38</sup> <http://www.radionz.co.nz/news/national/279597/thousands-of-children-hit-by-benefit-sanctions>

<sup>39</sup> CPAG, Benefit sanctions and children; a greater need for clarity, September 2014, <http://www.cpag.org.nz/assets/Publications/140930%20CPAG%20Benefit%20Sanctions%20Report%20III.pdf>, p 5

## **Recommendations**

78. **The Committee may wish to consider including the following questions in its List of Issues for the New Zealand Government:**
- **What is the Government’s position in respect of each of the EAG’s recommendations regarding housing?**
  - **What measures has the Government taken to implement the EAG recommendations it has accepted?**
  - **What measures has the Government taken to address the right to adequate housing?**
  - **What measures does the Government take, or intend to take, to ensure that public and private providers of social housing uphold and protect the rights of the child under the CRC?**
  - **What measures does the Government take, in accordance with its obligation under Article 3.1 of the CRC, to ensure that the welfare and best interests of the child are taken into account in decision-making processes regarding benefit sanctions under the Social Security Act 1964?**

## **8. Education, leisure and cultural activities**

### **Inclusive Education**

**Relevant provision of the CRC:** Article 28

**CO 2011:** Invest considerable additional resources in order to ensure the right of all children, including children from all disadvantaged, marginalized and school-distant groups, to a truly inclusive education.

79. The Government Report states “New Zealand is a world leader in providing inclusive education”.<sup>40</sup> While the Commission acknowledges the recent work that the Government has done to advance inclusive education in New Zealand schools, it considers that further work is needed before New Zealand could claim to having a truly inclusive education system.
80. In 2010, the Ministry of Education commenced with its *Success for All – Every School, Every Child* policy programme, which sought to achieve a fully inclusive school environment by 2014. The final 2015 evaluative report on *Success for All* produced by the Education Review Office (ERO) indicates that, while the policy’s objective of a fully inclusive educational environment was not reached, some progress

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<sup>40</sup> At [218].

has been made. ERO's 2014 evaluation of a sample of 152 schools found that 78% were "mostly inclusive", compared to 50% in 2010.

81. However, ERO also reported that only half of the schools in the sample were effective in promoting achievements and outcomes of students.<sup>41</sup> ERO went on to issue broad recommendations for schools and the Ministry of Education focused at improving the use of achievement data, increasing teacher capability, and improving the information available to school boards.<sup>42</sup>
82. Success for All has now concluded and is yet to be succeeded by a new inclusive education policy or strategy. While the Ministry of Education has affirmed the application of the inclusive education principles of Article 24 of the Convention on the Rights of Persons with Disabilities to primary and secondary schools<sup>43</sup>, the Education Act 1989 is yet to be updated to explicitly include or reflect those principles.
83. Parliament's Education and Science Select Committee is currently commencing an Inquiry into the identification of and support for students with dyslexia, dyspraxia, and autism spectrum disorders. The Inquiry may have significant implications for the education sector. A considerable number of students in New Zealand schools are affected by dyslexia (approximately 10% of the school population) and dyspraxia (6%). Students with autistic spectrum disorders are estimated to constitute around 1%.

### **Recommendation**

84. **The Committee may wish to consider including the following question in its List of Issues for the New Zealand Government:**
  - **What future measures does the Government intends to take to achieve a fully inclusive education system, now that the *Success for All* programme has concluded?**

## **9. Special Protection Measures**

<b>Youth Justice</b>
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<sup>41</sup> Education Review Office, *Inclusive practices for students with special needs in schools*, March 2015, page 2, page 28 accessed <http://ero.govt.nz/National-Reports/Inclusive-practices-for-students-with-special-needs-in-schools-March-2015/National-report-summary>

<sup>42</sup> Education Review Office, *ibid* p3-4

<sup>43</sup> Ministry of Education, *Supports and Services for Learners with Special Education Needs/Disabilities* April 2012

**Relevant provision of the CRC:** Article 40

**CO 2011:** Raise the minimum age of criminal responsibility, consider setting the age of criminal majority at 18 years, develop a broad range of alternatives to detention.

**Child victims of crimes/ child witnesses**

**CO 2011:** Ensure through adequate legal provisions and regulations that all children victims and or witnesses of crime are provided by the protection provided by the Convention

85. There are yet to be any concrete measures taken to broaden the jurisdiction of the youth justice system to cover 17 year olds, who are currently prosecuted as adults.<sup>44</sup> However, there has been some indication that the legislative reform arising from the review of CYF may include extension of the child protection and youth justice systems to cover 17 year olds. This would require the definition of “young person” under the Children, Young Person and their Families Act 1989 to be amended to include 17 year olds within that definition. Such an amendment, which is broadly supported across the sector, would constitute the most significant step towards full harmonisation of New Zealand legislation with the CRC.
86. Considerable progress has generally been made in the youth justice sector. Youth prosecution rates have fallen steadily over the reporting period, as have the numbers of cases that have resulted in a custodial outcome or transfer to the District Court for sentence. The Government also refreshed its youth justice policy strategy with the launch of the Youth Crime Action Plan in 2013, which has included an emphasis on further enhancing the diversionary nature of the youth justice system. The Courts have also strongly reinforced the application of the CRC, most recently in the 2015 decision of the Court of Appeal in *DP v R*<sup>45</sup>, where the Court affirmed that “*when dealing with a child charged with a criminal offence, a Court must recognise the United Nations Convention on the Rights of the Child*”.
87. In order to enhance its responsiveness to young Maori, who are disproportionately represented in the youth justice system, the Youth Court has also expanded its use of specialist Rangatahi Courts for young Maori. This has led to an increase in the appointment of lay advocates to provide cultural assistance and advocacy. Pasifika Youth Courts have also been established in Auckland to provide a specialist response for Pasifika youth. Both the Rangatahi and Pasifika Courts are elective interventions and are generally available as an option once the young person has admitted the offence in the mainstream Youth Court.

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<sup>44</sup> 17 year olds may currently be dealt with in the Youth Court, but only in respect of offences committed when they were aged under 17.

<sup>45</sup> *DP v R* [2015] NZCA 476 at [10]



88. Amendments to the bail provisions under the CYPF Act that have lowered the threshold for arrest for bail breaches by a young person may have had some impact on custodial remand numbers, particularly in cases where there is a lack of available care placements or bail options. There continues to be ongoing concern about the last resort measure of detaining a young person on remand into police custody. A recent case where a 16 year old girl was detained for four days in a police cell following a bail breach due to a lack of available CYF beds prompted calls from the judiciary for the practice to stop.<sup>46</sup> In 2012 the Independent Police Conduct Authority, the Human Rights Commission and the Children's Commissioner held a Joint Thematic Review (JTR) of young people in police custody as part of their National Preventative Mechanism functions under the Optional Protocol to the Convention Against Torture. In the year preceding the report 213 young people were detained in police cells for an average of 1.9 days and indications at that time were that figures were trending upwards. The resulting JTR report issued 24 recommendations designed to improve conditions of detention and treatment of young people, police training and reporting practices and review options for transport arrangements.<sup>47</sup>

*Child witnesses/child victims*

89. The Ministry of Justice has reviewed the provisions of the Evidence Act with a view to strengthening the availability of protective measures for child witnesses in criminal trials and introduced National Guidelines in order to enable greater consistency of practice<sup>48</sup>. This has led to the introduction of the Evidence Amendment Bill that seeks to introduce, among other things, a presumptive right for child witnesses aged under 18 to use alternative modes of evidence in criminal trials and an automatic right to have a support person present.<sup>49</sup>

**Recommendations**

90. **The Committee may wish to consider including the following question in its List of Issues for the New Zealand Government:**

- **What steps is the Government taking, or intends to take, to raise the upper age of the Children, Young Persons and their Families Act in order to bring the youth justice and child protection systems into conformity with the CRC?**
- **What progress has the Government made in implementing the recommendations of the Joint Thematic Review of Young Persons in Police Detention?**

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<sup>46</sup> [http://m.nzherald.co.nz/nz/news/article.cfm?c\\_id=1&objectid=11519882](http://m.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=11519882)

<sup>47</sup> <http://www.ipca.govt.nz/site/media/2012/2012-october-23-joint-thematic-review.aspx>

<sup>48</sup> <http://www.justice.govt.nz/policy/justice-system-improvements/child-witnesses-in-the-criminal-courts>

<sup>49</sup> [http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH\\_BILL63043\\_1/evidence-amendment-bill](http://www.parliament.nz/en-nz/pb/legislation/bills/00DBHOH_BILL63043_1/evidence-amendment-bill)

- **What steps is the government taking to reduce the numbers of young people, and the duration of time they spend, under custodial remand in the youth justice system?**